

**CALIFORNIA COASTAL COMMISSION**

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# F4a

**DATE:** February 26, 2007

**TO:** Coastal Commissioners and Interested Parties

**FROM:** Peter M. Douglas, Executive Director  
Charles Lester, Central Coast District, Deputy Director  
Elizabeth A. Fuchs, Manager, Statewide Planning and Federal Consistency Division  
Mark Delaplaine, Federal Consistency Supervisor

**RE:** Status Report on Brazil Ranch Public Access Plan component of U.S. Forest Service's general consistency determination for authorization of special use activities at the Brazil Ranch, south of Bixby Creek in Big Sur, Monterey County

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**BACKGROUND:**

In 2002 the U.S. Forest Service purchased the Brazil Ranch (former Funt estate) in Big Sur. In 2005, the Forest Service submitted a general consistency determination for special events being held at the ranch. This 1200 acre property is a significant public acquisition and provides important opportunities for public coastal access, including critical links in the California Coastal Trail and hiking on both the inland and terrace portions. A fundamental concern was raised during the Commission's initial (September 2005) public hearing that while the acquisition of the Ranch was intended to provide substantial public benefits, special events were being held, while the general public did not yet have access to the Ranch. Additional concerns were raised at the initial Commission hearing, included questions about the type, amount, and intensity of special events, the lack of an overall planning context and potential incompatibility of such events with the underlying zoning designation (Watershed and Scenic Conservation (WSC)), traffic, parking, visual, and public access concerns, cultural, archaeological and invasive species issues, affordability and the need for low-cost recreation, and finally, fairness and equity concerns, including competition with area commercial interests and the fact that private interests holding similar events would need to apply to the County for coastal development permits.

In response to these concerns, the Forest Service held a number of meetings with community members and significantly revised its original proposal (Exhibit 4 of attached findings) to provide a broader context, to reduce the types and intensities of the special events, to be compatible with the project site's underlying land use designation based on the certified LCP

for Big Sur, and to include not just special events but the complete range of activities at the ranch. The Forest Service stated that it responded to public and Commissioner recommendations by making changes to the original project description, most notably: (a) maintaining historic grazing activities as the principal use of the ranch, consistent with resource protection and other specific management and research objectives; (b) limiting special events to conservation forums related to environmental conservation, stewardship and sustainability; (c) eliminating weddings, family retreats or meetings unrelated to conservation forums; (d) providing for an appropriate level of environmental analysis (including the opportunity for public involvement) where appropriate; and (e) limiting interim activities to the following uses (and with a cumulative total of no more than 70 visitors at the ranch at one time):

- *A one year temporary grazing permit.*
- *Regularly scheduled guided hikes for the public beginning spring 2006.*
- *Conservation forums.*
- *Public agency meetings.*
- *Permits for filming in cooperation with the Monterey County Film Commission, such as for still photography in and around existing buildings.*

The Forest Service further committed to continue to coordinate with the Commission, Monterey County, and area residents, including monitoring and annual reporting, a re-review in five years, and, where appropriate for individual activities, submittal of future consistency or negative determinations for specific activities.

With respect to general public access, which is the Commission's primary concern, the Forest Service's revised proposal included commitments to conduct immediate guided hikes along inland trails and long-term evaluation of other public access to be completed by the end of 2006. On February 9, 2006, the Commission conditionally concurred with the Forest Service's revised proposal. The Commission's action is attached. The conditions included the following, which contemplated that at least some public access would be available by Memorial Day, 2007:

***1. Interim Parking Plan for Coastal Terrace Access.*** *Commencing immediately, the Forest Service will begin planning efforts with the goal of providing an interim parking and public access plan, which shall be submitted to the Commission for its review and concurrence, providing for suitable areas for parking, and for general public access to the coastal terrace west of Highway 1, including Hurricane Point, 365 days a year, dawn to dusk. The interim parking and public access plan should be completed prior to December 31, 2006, and implemented by Memorial Day 2007.*

*Both the interim and long range access plans should reflect the appropriate policies and standards for such public access planning, including those contained in the certified Monterey County Local Coastal Program (LCP). Applicable LCP sections*

*include, but are not limited to, the Big Sur Coast Land Use Plan, and implementing county ordinances (in particular, County Code Section 20.145.150.A.5, which lists the required access management plan elements).*

*These near-term public access opportunities represent only an interim step. Long range public access planning will proceed in the context of developing an overall land use and resource management plan for the Brazil Ranch, that provides for maximum public access and recreational use, coastal resource protection, and scenic landscape preservation in a manner consistent with California Coastal Act and Local Coastal Program policies.*

The Commission's conditions also provided:

**2. Frequency of Hiking Opportunities to be Provided on the Inland Portion of the Ranch.** *The Forest Service will provide, commencing no later than March 25, 2006, the opportunity for guided hikes from the established parking arena located above the barn. Access to the parking arena will occur via the main paved driveway from Highway 1. These guided hikes will be managed similar to those offered at the nearby Pt. Sur California State Park. Initially, one day a week will be scheduled, allowing the Forest Service to train additional docents to lead the hikes, monitor the interest for additional days, and provide additional access to meet the demand. These hiking opportunities will be in addition to scheduled conservation forums and community activities. The Forest Service will prepare a plan for Executive Director review and concurrence addressing how the availability of the access will be publicized.*

Subsequently, the Forest Service solicited public input to prepare the *Brazil Ranch Public Access Plan and Environmental Assessment*. The Commission staff provided oral and written comments. The Forest Service submitted a draft of that Plan for Commission staff review in early November 2006. The Plan addresses both the above conditional requirement of opening the coastal terrace by this Memorial Day and the Forest Service's commitment to evaluate long-term access over the entire Ranch. Since receipt of the Plan, the Commission staff has been reviewing it, has conducted a site visit, and has been discussing its concerns with the Forest Service.

#### OPENING OF COASTAL TERRACE THIS SPRING

Because of the immediacy of the condition to provide coastside access and parking by Memorial Day 2007, this report focuses on achieving that objective. To satisfy this requirement the Forest Service proposes to: "Develop parking along the lower section of the main ranch access road (Highway 1 site). Utilize the existing underpass of Hwy 1 as a pedestrian route to the lower terrace area." On this oceanfront terrace the Plan shows a loop route north of Bullpen Gulch, with no actual trail construction. It should be noted that the coastal terrace already shows evidence of public use, originating from the pullout on the seaward side of

Highway 1 immediately north of the Bullpen Gulch underpass (see Attached Findings, Exhibit 11).

Some of the issues that Commission staff has identified with regard to this proposal include:

- conformance with the LCP's Critical Viewshed criteria, primarily with respect to design of the proposed parking facility at the Highway 1 main ranch entrance;
- identification of appropriate highway pullouts for parking, and coordination with Caltrans, the agency responsible for maintaining the existing pullouts;
- assuring an adequate amount of parking, especially at peak periods when the suitable locations adjacent to Highway 1 are full;
- appropriate trailhead and directional signing;
- availability of restroom facilities;
- concurrent public access and grazing uses, including fencing improvements;
- access all the way to appropriate bluff overlooks--including southward access to the coastal terrace at Hurricane Point;
- prevention of damage from "volunteer" trails created by users on their own (i.e., unguided access);
- timing of implementing access enhancements; and
- adaptive management as experience with access is gained.

The Commission staff's intent is to formalize these concerns in a letter to the Forest Service, some of which are elaborated on in the discussion below. The staff is not recommending that the Commission take action on the plan at this time, but rather to wait for further discussion and refinements before determining the adequacy of the access plan, and to provide any appropriate direction on the issues raised or the staff's recommendations discussed in this memo.

Accordingly, regarding the Commission's requirement for implementation of interim access improvements for opening by Memorial Day 2007, the Commission staff's recommendation would be to not develop a parking lot off of Highway 1 at the main Brazil Ranch entrance road at this time. The staff believes the design of this parking facility needs to be revisited, to assure that it will be hidden from Highway 1 views as provided by the LCP's Critical Viewshed policy. Rather, the staff recommends that the Forest Service simply allow minimal parking along the side of the entrance road at this proposed trailhead.

Since the entrance road shoulder parking capacity is very limited, the staff additionally recommends that the Forest Service formalize an entry point to the coastal terrace loop trail at an existing Caltrans pullout along the Highway 1 frontage. At least one such pullout is located

where seaward views would not be impaired by parked automobiles. The staff also recommends more specificity in terms of signing, fencing, and trail marking. For guidance, the staff notes that at nearby Andrew Molera and Garrapata State Parks, the approximately 15 low-key “numbered” access points through the highway fencing at existing pullouts provide an appropriate coastal access template that would be immediately recognized by visitors. The staff believes that these recommendations could be achieved by Memorial Day 2007.

However, the staff recognizes that access to the entire coastal terrace, including Hurricane Point, is not likely achievable by this upcoming Memorial Day. The submitted plan does not address access to the southern portion of the coastal terrace, including Hurricane Point. In order for this requirement to be met, the Forest Service will need to consult with Caltrans, whose 1998 storm repair work resulted in blockage of that portion of the trail. Coordination with Caltrans will be needed as well in order to manage incipient erosion impacts, resulting from visitors taking shortcuts to the coastal terrace from the existing paved Hurricane Point View Pullout. The staff believes that such additional coastal access improvements could be achieved by Memorial Day 2008.

#### PUBLIC ACCESS ON INLAND PORTION OF BRAZIL RANCH

The Brazil Ranch Public Access Plan contains many acceptable provisions for access inland of Highway One, but it also contains some problematic provisions and lacks other desirable ones. One admirable feature of the submitted plan, for example, is a proposed trailhead along Old Coast Road, with 4-6 parking spaces, near the ranch headquarters complex. From this parking lot one will be able to hike to spectacular viewpoints from higher points on the Ranch (such as Sierra Hill) or to hike about 3 miles to the Bullpen Gulch underpass (which opens onto to the northern coastal terrace). As noted above, by separate correspondence the staff intends to comment on and suggest revisions to the entire Public Access Plan, which applies to both the coastal terrace areas, and to the bulk of the Ranch inland from Highway 1. The staff intends to make it clear that it supports the implementation of the inland (Old Coast Road) trailhead, and with the proposed use of the existing farm road alignments as the interim public trail system for the inland portion of the Brazil Ranch. The staff intends to offer various refinements and clarifications that will help the Public Access Plan reflect adopted public policy and best practices for opening new public accessways, especially within the environmental and community context of the Big Sur Coast.

Meanwhile, the staff notes that, consistent with the Forest Service’s commitment in the consistency determination, guided walks over the inland trails have been regularly conducted at least biweekly since April 2005, and that these will continue.

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**ADOPTED STAFF RECOMMENDATION****ON CONSISTENCY DETERMINATION**

Consistency Determination No. **CD-083-05**  
Staff: MPD-SF  
File Date: 7/11/2005  
60th Day: 9/9/2005  
75th Day: 9/24/2005  
Extended to: 3/10/2006  
Commission Meeting: 2/9/2006

**FEDERAL AGENCY:** U.S. Forest Service

**PROJECT**  
**LOCATION:**

Brazil Ranch, Los Padres National Forest, Big Sur, Monterey County (Exhibits 1-3)

**PROJECT**  
**DESCRIPTION:**

General Consistency Determination for Forest Service activities at Brazil Ranch

**SUBSTANTIVE FILE**  
**DOCUMENTS:**

See page 22.

**EXECUTIVE SUMMARY**

The U.S. Forest Service originally submitted a general consistency determination for authorization of special use activities at the Brazil Ranch, south of Bixby Creek in Big Sur, Monterey County. The originally-proposed general consistency determination was intended to apply to scheduled special events, which the Forest Service described as "small-scale," and "limited" in order to help generate fees for maintaining the ranch, but which also raised a number of concerns expressed by community members and Commissioners at the Commission's September 14, 2005, meeting. The concerns included the type, amount, and

intensity of special events, the lack of an overall planning context and potential incompatibility with the underlying zoning designation (Watershed and Scenic Conservation (WSC)), traffic, parking, visual, and public access concerns, cultural, archaeological and invasive species issues, affordability and the need for low-cost recreation, and finally, fairness and equity concerns, including competition with area commercial interests and the fact that private interests holding similar events would need to apply to the County for coastal development permits.

In response to these concerns, the Forest Service held a number of meetings with community members and has significantly revised its proposal (Exhibit 4) to provide a broader context, to reduce the types and intensities of the special events, to be compatible with the project site's underlying land use designation based on the certified LCP for Big Sur, and to include not just special events but the complete range of activities at the ranch. The Forest Service states that it has responded to public and Commissioner recommendations by making changes to the original project description, most notably: (a) maintaining historic grazing activities as the principal use of the ranch, consistent with resource protection and other specific management and research objectives; (b) limiting special events to conservation forums related to environmental conservation, stewardship and sustainability; (c) eliminating weddings, family retreats or meetings unrelated to conservation forums; (d) providing for an appropriate level of environmental analysis (including the opportunity for public involvement) where appropriate; and (e) limiting interim activities to the following uses (and with a cumulative total of no more than 70 visitors at the ranch at one time):

- *A one year temporary grazing permit.*
- *Regularly scheduled guided hikes for the public beginning spring 2006.*
- *Conservation forums.*
- *Public agency meetings.*
- *Permits for filming in cooperation with the Monterey County Film Commission, such as for still photography in and around existing buildings.*

The Forest Service has further committed to continue to coordinate with the Commission, Monterey County, and area residents, including monitoring and annual reporting, a re-review in five years, and, where appropriate for individual activities, submittal of future consistency or negative determinations for specific activities.

For the February 2006 Commission meeting, the Commission staff had recommended four conditions, two of which were modified during the Commission's deliberations. The modifications address the timing of public access planning and implementation, and provided for a continuation of the Forest Service's present practice that immediately available access would be limited to guided tours, and that immediate unguided public access was not required but could await completion of the Forest Service's planning process (proposed for completion by the end of 2006), with implementation commencing the following Spring. Noting that the Forest Service has reduced the intensity of special events, with these additional conditions, implementing guided public access, and planning and providing additional future public

access, the modified project, as conditioned, is consistent with the requirements of Section 30213 of the Coastal Act that “Lower cost visitor and recreational facilities shall be protected, encouraged, and, where feasible, provided,” and of Section 30210 that maximum public access and recreation be provided. The public access plan to be completed by the end of 2006 will be submitted to the Commission for its future review (and if the deadline is not met the Commission has the authority to alternatively review the Forest Service’s public access provisions through the “federal consistency reopener” clause).

The Commission is therefore conditioning its concurrence on: (a) assurance that the public access plan will be completed and implemented in the near future; (b) assurance that coastal terrace access will be considered in the plan; (c) assurance that of camping (and/or a hostel) will be considered at the ranch; and (d) clarifying the relationship of specific proposal in this consistency determination with the overall framework contained in the Forest Service’s Land Management Plan.

In support of the first (i.e., the “coastal terrace”) access condition, the Coastal Conservancy recently noted that, prior to the property’s transfer to the Forest Service, the Trust for Public Land required recordation of an agreement requiring that:

*(1) The real property shall be used for the purposes of public access, open space preservation and resource protection; and no use of the real property that is inconsistent with these purposes shall be permitted. Specifically, and without limiting the generality of the foregoing, public access shall be permitted on the informal trail now existing on the property that extends along the coastal blufftop, and from State Highway One to the coastal blufftop trail, or on such alternative courses as may be developed by OFFEROR or its successor(s) to provide substantially equivalent access to and along the coast, consistent with the protection of natural resources and public safety.*

With the above Forest Service commitments including guided hiking opportunities for the general public, combined with the four conditions clarifying when and how access and future planning for access will be undertaken and implemented, the proposed project would be consistent with the public access and recreation policies (Sections 30210-30223) of the Coastal Act.

By limiting activities to existing structures, roads, and trails, the project is consistent with the marine resource, water quality, and environmentally sensitive habitat policies (Sections 30230, 30231, and 30240) of the of the Coastal Act.

The Forest Service’s revised proposal conforms with the intended resource and agricultural protection policies as provided in the County’s Local Coastal Program for Big Sur, and, as modified, would be consistent with the agricultural protection requirements of Sections 30241 and 30242 of the Coastal Act.



The Commission notes that as provided in 15 CFR § 930.4(b), should the Forest Service not agree with the Commission's conditions of concurrence, then all parties shall treat this conditional concurrence as an objection.

## **STAFF SUMMARY AND RECOMMENDATION**

**I. Staff Note/Procedures.** The Forest Service has submitted a general consistency determination for its activities at the Brazil Ranch. The Forest Service is seeking Commission concurrence with general types of activities rather than a specific project. The Forest Service has made this consistency determination pursuant to Section 930.36(c) of the federal regulations implementing the Coastal Zone Management Act (15 C.F.R. Section 930.36[c]), which provides:

*(c) General consistency determinations. In cases where Federal agencies will be performing repeated activity other than a development project (e.g., ongoing maintenance, waste disposal) which cumulatively has an effect upon any coastal use or resource, the Federal agency may develop a general consistency determination, thereby avoiding the necessity of issuing separate consistency determinations for each incremental action controlled by the major activity. A Federal agency may provide a State agency with a general consistency determination only in situations where the incremental actions are repetitive and do not affect any coastal use or resource when performed separately. A Federal agency and State agency may mutually agree on a general consistency determination for de minimis activities (see §930.33(a)(3)) or any other repetitive activity or category of activity(ies). If a Federal agency issues a general consistency determination, it shall thereafter periodically consult with the State agency to discuss the manner in which the incremental actions are being undertaken.*

A Commission concurrence with this consistency determination will allow the Forest Service to conduct its activities at the ranch within the limits described herein consistent with this consistency determination without any further review by the Commission. The Forest Service states that the proposal:

*...includes a commitment for continued coordination with the Coastal Commission, Monterey County, and area residents for activities at the Brazil Ranch, including:*

- 1. Opportunities to monitor the effects of projects authorized by this general consistency determination,*
- 2. Annual reporting of activities conducted pursuant to this general consistency determination,*
- 3. A complete review in five years allowing the Commission to review the general consistency determination to determine if conditions have changed and to allow for an extension of this determination, and*
- 4. Where applicable, submittal of future consistency or negative determinations for specific activities.*

**II. Project Description.** The Forest Service's original general consistency determination was for a categories of activities at the Brazil Ranch, including small-scale commercial activities intended to help fund maintenance of the ranch. As noted on page 2, the Forest Service has significantly revised the project to provide a broader context, to reduce the types and intensities of the special events, to be compatible with the project site's underlying land use designation based on the certified LCP for Big Sur, and to include not just special events but the complete range of activities at the ranch. The Forest Service describes the revised proposal as follows:

### ***REVISED PROJECT DESCRIPTION***

#### ***1. Stewardship***

*All activities will be managed to protect watersheds, scenic values, streams, plant communities, wildlife habitat, the marine environment, and cultural resources.*

#### ***2. Agriculture and Grazing***

*In recognition of the certified Monterey County Local Coastal Program (LCP), (including the Big Sur Coast Land Use Plan, Protected Waterways Plans for the Big Sur and Little Sur Rivers, and development standards contained in the applicable implementing ordinances), and the classification of the Brazil Ranch as Watershed and Scenic Conservation, opportunities will be sought to maintain historic grazing activities as the principal use of the ranch. These uses will be consistent with resource protection and other specific management and research objectives. Specific management objectives include fire hazard reduction, exotic species eradication, and visual resource enhancement.*

#### ***3. Recreation Access***

*Managed public access for hiking and community activities will be provided, consistent with resource protection, public safety, and the concerns of adjacent landowners.*

#### ***4. Conservation Forums***

*Conservation forums on issues related to environmental conservation, stewardship and sustainability may take place in cooperation with the Big Sur Environmental Institute. These activities may occur while grazing remains the principal use of the ranch.*

#### ***5. Public Agency Access***

*Managed public agency access for meetings will be authorized.*

## **6. Research**

*Research opportunities will be provided to understand resources and sustainable management of the Big Sur environment.*

## **7. Special use authorizations.**

*Permits for filming in cooperation with the Monterey County Film Commission will be considered on an individual basis. Weddings, family retreats, or meetings unrelated to Conservation Forums will not be authorized.*

## **8. Facility Management**

*No new facility development, alteration of the size of any existing structure, or change to the physical appearance of any existing structure is proposed. Activities such as maintenance of existing facilities, building code compliance (e.g. to meet health and safety requirements) and interior modifications of some existing buildings (e.g. to improve public access, provide accessibility for persons with disabilities, or to meet health and safety standards) may occur. Any proposals will be evaluated in a manner similar to that afforded activities on private lands (i.e. Monterey County planning checklists will be used for guidance).*

**III. Background/History.** Before it came into federal ownership, the Brazil Ranch was historically privately owned and used for a wide variety of special events in addition to ongoing ranch activities. The Forest Service states:

*The Brazil Ranch is located immediately south of the Bixby Creek Bridge, approximately 12 miles south of Carmel. (See Location Map[Exhibits 1-3].) The ranch is bifurcated on the west by California Highway 1 and by the Old Coast Highway on the east. The ranch, with the historic Bixby Bridge in the foreground and Hurricane Point in the background, is arguably one of the most photographed locations of Big Sur. None of the existing ranch buildings are visible from these viewpoints.*

*The lands comprising today's Brazil Ranch were homesteaded in the mid-1800s. In time, several of these early homesteads were sold to the John Brazil family, who eventually gained title to nine original homestead lots comprising 1,200 acres and known collectively as the Brazil Ranch. During this time, the ranch was actively managed for cattle and horses. A dairy also operated until 1898. The lands were later sold to Allen Funt, of Candid Camera fame. During his quarter-century of ownership, Mr. Funt constructed all of the existing buildings and operated a horse and cattle business on the property. The buildings are clustered in a central core area and include three residences, two barns, corrals and several small horse shelters. During this time, the Brazil Ranch was frequented by Allen Funt and his guests, as well as commercial horse and cattle operators, hay trucks, and horse and cattle trailers. The property was*

*later sold by the Funt Estate to a real estate developer who had learned that the original homesteads remained recorded as nine separate tax lots that could allow for residential development. Brazil Ranch was purchased by the conservation community and public funding in 2002 to protect scenic and other natural resource values, and provide for public use. Management responsibility was transferred to Los Padres National Forest.*

*The California Coastal Commission has certified a Monterey County Local Coastal Program (LCP). The Monterey County LCP classified the Brazil Ranch under the Watershed and Scenic Conservation land use category. Under this classification, protection of watersheds, streams, plant communities, and scenic values is the primary objective. Principal uses in this category include agriculture/grazing and supporting ranch houses and related ranch buildings. The Watershed and Scenic Conservation category also allows for secondary uses, including recreational and educational activities that are compatible with the natural resources of the area. Facilities may include interpretive centers, rustic inn or lodging units, on-site dining, hostels, and campgrounds. On privately held lands, these secondary uses are subject approval through a county conditional use planning process and may also receive California Coastal Commission review. In the interest of conformance with the Monterey County LCP to the maximum extent practicable, the Forest Service will evaluate activities at the Brazil Ranch in a manner similar to that afforded activities on private lands through the appropriate environmental analysis process prescribed under the federal National Environmental Protection Act (NEPA) and Forest Service regulations. Additionally, because the Brazil Ranch is now in public ownership as national forest system lands, the ranch is eligible to be reclassified into the National Forest category under the Monterey County LCP. However, in response to recommendations by community members, [the Forest Service does] ... not plan to seek this redesignation for the Brazil Ranch.*

**IV. Forest Service Planning Background.** The project is related to two other recently submitted (and concurred with) Forest Service Plans for Los Padres National Forest. The first was an update of an original 1988 management plan. On June 7, 1988, the Commission concurred with the U.S. Forest Service's consistency determination (CD-18-88) for its Management Plan for the Los Padres National Forest. In that decision, following typical Commission review of federal agency management plans, which are to some degree a conceptual (i.e., "phased") review, the Commission identified future projects that might arise from the plan that would trigger further Commission federal consistency review, as summarized below:

*The management plan covered a five to ten year period, identifying long-range goals and objectives for the Los Padres National Forest. The plan also evaluated federal and private activities within the Forest for consistency with the plan's goals and objectives. The management plan included provisions for monitoring its effectiveness. Although the Commission found that the overall management plan was consistent to the maximum*

*extent practicable with the CCMP, it found that specific projects not clearly spelled out in the general plan that might directly affect the coastal zone would need to be submitted to the Commission for further consistency review.*

*A significant issue raised by the plan was its provision for limestone mining within Big Sur, Monterey County. Specifically, the plan considered and allowed Granite Rock Company to mine its claims on Pico Blanco. Since the plan did not include details of the proposed mining operation, the Commission reviewed this activity in terms of its land-use implications. The Commission found that that activity has the potential to adversely affect access, recreation, visual, and habitat resources of the coastal zone and these effects had the potential to be inconsistent with the CCMP. Despite the potential inconsistencies, the Commission found in part, that the plan was consistent to the maximum extent practicable with the CCMP, because existing federal law prevented the plan's provisions for limestone mining from being fully consistent with the CCMP.*

*In addition, the Commission found that the proposed mining would require Forest Service approval of a Plan of Operation and that that approval would trigger a consistency certification. Finally, the Commission found that the proposed mining would also require a coastal development permit. The Commission also evaluated the Forest Management Plan's effect on scenic and visual resources, recreation and access, environmentally significant habitat areas, and agriculture. Although the plan provided for the protection and enhancement of these resources, the Commission identified several projects that could adversely affect the coastal zone. Since those projects would require additional consistency review, the Commission found that the plan was consistent to the maximum extent practicable with the CCMP.*

The Commission staff has also recently concurred with two Forest Service negative determinations, one for inland oil and gas leasing, and the second for an updated overall management plan. In ND-58-05, the Commission staff agreed that the continuation of certain oil and gas leases in Los Padres National Forest, located in inland areas ranging from 25 to 40 miles inland of the coastal zone, in Santa Barbara, Ventura, and Los Angeles Counties, would not affect the coastal zone and that the activities were similar to those authorized in the original management plan (CD-18-88). The Commission staff noted that the leases in question were located: (1) outside Big Sur where the Commission previously raised concerns (and in fact would not be in Monterey County at all); (2) far inland; (3) in areas of existing oil and gas development; (4) where downstream drainage would stop at inland dams and therefore do not have the potential to affect the coastal zone; and (5) for most (92%) of the leased areas (52,000 acres) would contain "No Surface Occupancy" restrictions, and for the remaining 8%, any subsequent development ultimately proposed would trigger: (a) environmental restrictions and procedures to assure that any wetlands, riparian or environmentally sensitive habitat resources in the affected areas would be protected (including the application of Best Management Practices); and (b) further Forest Service review and NEPA analysis. Also, the Commission retains the ability to review activities if they would affect the coastal zone. The Forest Service

had removed from the areas originally being considered for leasing those portions of the National Forest that were near (and therefore where drilling could have had the potential to affect) the coastal zone.

In concurring with ND-081-05, the Commission staff agreed that the recently-updated Los Padres National Forest Land Management Plan (LMP) for the Big Sur Coast was “the same as or similar to”<sup>1</sup> the originally-concurred-with plan (CD-18-88). This recent (September 2005) plan established long range direction for 10 to 15 years, specified standards and practices necessary to achieve that direction, and specified evaluation and monitoring requirements to ensure that the direction is being carried out effectively. As with the other plans mentioned above, the review was based on part on the continued coordination and agreement that individual activities may be subject to federal consistency review.

The LMP designated the Brazil Ranch under the ““Back Country Motorized Use Restricted,” category and included the following text:

*The Brazil Ranch will be a place for conference and educational opportunities focused on environmental conservation, stewardship and sustainability. Managed public access and recreational opportunities will be provided. Traditional land uses and resource conservation activities can be showcased and studied. Other small-scale special-uses may be authorized.(Page 44 of Part 2)*

In submitting the aforementioned consistency determination, the Forest Service pledged that, due to its greater level of specificity and potential for effects on coastal resources, one of the more specific proposals necessitating a consistency determination and a public hearing was the subject Brazil Ranch plan. The forestwide plan noted “... the LMP does not make project-level decisions about roads, campgrounds, or other facilities and activities...” In concurring with ND-081-05, the Commission endorsed this approach of addressing the Brazil Ranch in a separate consistency determination, the matter that is now the subject of this report. This was implicitly acknowledged in the Forest Service’s cover letter of January 20, 2006 as follows, “I believe management of the Brazil Ranch will benefit from an additional California Coastal Commission general consistency determination review specific to the Brazil Ranch.”

**V. Federal Agency's Consistency Determination.** The Forest Service has determined the activities described in the general consistency determination to be consistent to the maximum extent practicable with the California Coastal Management Program.

**VI. Applicable Legal Authorities.** The federal consistency regulations (15 CFR § 930.4) provide for conditional concurrences, as follows:

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<sup>1</sup> One of the available tests for qualifying for a negative determination, as provided in 15 CFR §930.35, is if the activity is “the same as or is similar to activities for which consistency determinations have been prepared in the past.”

*(a) Federal agencies, ... should cooperate with State agencies to develop conditions that, if agreed to during the State agency's consistency review period and included in a Federal agency's final decision under Subpart C ... would allow the State agency to concur with the federal action. If instead a State agency issues a conditional concurrence:*

*(1) The State agency shall include in its concurrence letter the conditions which must be satisfied, an explanation of why the conditions are necessary to ensure consistency with specific enforceable policies of the management program, and an identification of the specific enforceable policies. The State agency's concurrence letter shall also inform the parties that if the requirements of paragraphs (a)(1) through (3) of the section are not met, then all parties shall treat the State agency's conditional concurrence letter as an objection pursuant to the applicable Subpart . . . ; and*

*(2) The Federal agency (for Subpart C) ... shall modify the applicable plan [or] project proposal, ... pursuant to the State agency's conditions. The Federal agency ... shall immediately notify the State agency if the State agency's conditions are not acceptable; and*

*...*

*(b) If the requirements of paragraphs (a)(1) through (3) of this section are not met, then all parties shall treat the State agency's conditional concurrence as an objection pursuant to the applicable Subpart.*

**VII. Staff Recommendation.** The staff recommends that the Commission adopt the following motion:

**MOTION:** I move that the Commission conditionally concur with general consistency determination CD-083-05 that the activities described in the general consistency determination, as conditioned, would be fully consistent, and thus consistent to the maximum extent practicable, with the enforceable policies of the California Coastal Management Program (CCMP).

**STAFF RECOMMENDATION:**

Staff recommends a **YES** vote on the motion. Passage of this motion will result in an agreement with the determination and adoption of the following resolution and findings. An affirmative vote of a majority of the Commissioners present is required to pass the motion.

**RESOLUTION TO CONDITIONALLY CONCUR WITH CONSISTENCY  
DETERMINATION:**

The Commission hereby **conditionally concurs** with general consistency determination CD-083-05 by the U.S. Forest Service on the grounds that the project would be fully consistent, and thus consistent to the maximum extent practicable, with the enforceable policies of the CCMP, provided the Forest Service agrees to modify the project consistent with the conditions specified below, as provided for in 15 CFR §930.4.

**Conditions:**

**1. Interim Parking Plan for Coastal Terrace Access.** Commencing immediately, the Forest Service will begin planning efforts with the goal of providing an interim parking and public access plan, which shall be submitted to the Commission for its review and concurrence, providing for suitable areas for parking, and for general public access to the coastal terrace west of Highway 1, including Hurricane Point, 365 days a year, dawn to dusk. The interim parking and public access plan should be completed prior to December 31, 2006, and implemented by Memorial Day 2007.

Both the interim and long range access plans should reflect the appropriate policies and standards for such public access planning, including those contained in the certified Monterey County Local Coastal Program (LCP). Applicable LCP sections include, but are not limited to, the Big Sur Coast Land Use Plan, and implementing county ordinances (in particular, County Code Section 20.145.150.A.5, which lists the required access management plan elements).

These near-term public access opportunities represent only an interim step. Long range public access planning will proceed in the context of developing an overall land use and resource management plan for the Brazil Ranch, that provides for maximum public access and recreational use, coastal resource protection, and scenic landscape preservation in a manner consistent with California Coastal Act and Local Coastal Program policies.

**2. Frequency of Hiking Opportunities to be Provided on the Inland Portion of the Ranch.** The Forest Service will provide, commencing no later than March 25, 2006, the opportunity for guided hikes from the established parking arena located above the barn. Access to the parking arena will occur via the main paved driveway from Highway 1. These guided hikes will be managed similar to those offered at the nearby Pt. Sur California State Park. Initially, one day a week will be scheduled, allowing the Forest Service to train additional docents to lead the hikes, monitor the interest for additional days, and provide additional access to meet the demand. These hiking opportunities will be in addition to scheduled conservation forums and community activities. The Forest Service will prepare a plan for Executive Director review and concurrence addressing how the availability of the access will be publicized.



**3. Camping/Hostel Planning.** For its long term planning process the Forest Service will consider camping and/or a hostel as potential uses at the ranch.

**4. Relationship to Land Management Plan.** To the extent that the Forest Service interprets its September 2005 Land Management Plan (LMP) for Los Padres National Forest in a manner inconsistent with the subject proposal, including as modified in the above conditions, it shall modify the LMP to eliminate any such inconsistency (e.g., any LMP restriction on motorized use for the general public shall not preclude on-site parking lots and motorized access to them at the Brazil Ranch.)

### **VIII. Findings and Declarations:**

The Commission finds and declares as follows:

**A. Public Access and Recreation.** Sections 30210-30212 of the Coastal Act provide for maximum public access to the shoreline, consistent with, among other things, public safety needs and fragile habitat protection. These sections provide, in relevant part, that:

*Section 30210. In carrying out the requirement of Section 4 of Article X of the California Constitution, maximum access , which shall be conspicuously posted, and recreational opportunities shall be provided for all the people consistent with public safety needs and the need to protect public rights, rights of private property owners, and natural resource areas from overuse.*

*Section 30212(a). Public access from the nearest public roadway to the shoreline and along the coast shall be provided in new development projects except where: (1) It is inconsistent with public safety, military security needs, or the protection of fragile coastal resources, (2) Adequate access exists nearby, or, (3) Agriculture would be adversely affected.*

In addition, Section 30213 indicates a preference for low-cost visitor facilities; Section 30213 provides:

*Lower cost visitor and recreational facilities shall be protected, encouraged, and, where feasible, provided. Developments providing public recreational opportunities are preferred.*

Sections 30221 and 30223 further specify a preference for use of oceanfront and upland areas for recreational uses, and Section 30214 of the Coastal Act specifies that access shall be managed in a manner reflecting an appropriate and resource-protective balancing of various, sometimes competing, factors. These sections provide:

*Section 30221. Oceanfront land suitable for recreational use shall be protected for recreational use and development unless present and foreseeable future demand for public or commercial recreational activities that could be accommodated on the property is already adequately provided for in the area.*

*Section 30222. Upland areas necessary to support coastal recreational uses shall be reserved for such uses, where feasible.*

*Section 30214. (a) The public access policies of this article shall be implemented in a manner that takes into account the need to regulate the time, place, and manner of public access depending on the facts and circumstances in each case including, but not limited to, the following:*

*(1) Topographic and geologic site characteristics.*

*(2) The capacity of the site to sustain use and at what level of intensity.*

*(3) The appropriateness of limiting public access to the right to pass and repass depending on such factors as the fragility of the natural resources in the area and the proximity of the access area to adjacent residential uses.*

*(4) The need to provide for the management of access areas so as to protect the privacy of adjacent property owners and to protect the aesthetic values of the area by providing for the collection of litter.*

*...*

*(c) In carrying out the public access policies of this article, the commission and any other responsible public agency shall consider and encourage the utilization of innovative access management techniques, including, but not limited to, agreements with private organizations which would minimize management costs and encourage the use of volunteer programs.*

The Forest Service notes that the Big Sur Coast LUP (part of the certified Monterey County LCP) provides:

*Section 6.1.3 Public Access Policy*

*The rights of access to the shoreline, public lands, and along the coast, and opportunities for recreational hiking access, shall be protected, encouraged and enhanced.*

*Section 5.3.1.2 and Section 5.4.3.D-9 Land Use Category Watershed and Scenic Conservation stipulates that adequate public access shall be provided to recreational areas located within W&SC land use category.*

*Section 3.3.2.5 Public access in areas of environmentally sensitive habitats shall be limited to low-intensity recreational, scientific, or educational uses. Access shall generally be controlled and confined to the designated trails and paths. No access shall be approved which results in significant disruption of the habitat.*

*Section 6.1.5.B*

*Dedication of access easements will be required in all locations fronting the shoreline as a condition of new development.*

*Section 6.1.4.9*

*Seek to ensure rights of residents and property owners are not jeopardized by unmanaged, inappropriate or irresponsible public access.*

*Section 20.145.140 of the Monterey Coastal Implementation Plan, Land Use Development Standards, defines “intensive recreational activities” to include tennis, golf, cinemas, mechanized recreation, and boating facilities.*

The Forest Service recognizes that one of its highest management priorities is provision of public access; however, it also recognizes the potential competing needs of resource protection, public safety, and the concerns of adjacent landowners, as discussed in the above Coastal Act and LCP policies. The Forest Service intends to continue its practice of providing for guided hikes on the ranch; however, for unguided public access, the Forest Services is proposing to defer provision of general public access amenities to a future date and pending the results of a planning and review process. The Forest Service states:

*Managed public access for hiking and community activities will be provided, consistent with resource protection, public safety, and the concerns of adjacent landowners.*

More specifically, the Forest Service states:

*Managed public access will be provided consistent with (1) grazing as the principal use of the ranch, (2) public safety, (3) the protection of public rights, (4) the protection of private property rights, and (5) the protection of natural resources areas from overuse.*

*Public access along State Highway One and the Old Coast Highway [sic] will not be impinged. Public access to the Brazil Ranch will be managed to allow for public enjoyment while ensuring resources and adjacent private property rights are protected. Parking will primarily occur in designated parking areas not visible from State Highway One. Potential affects [sic] to traffic on Highway One as a result of this proposal will be evaluated, and recommendations made to overcome or mitigate any identified conflicts. Opportunities to offer non-motorized trail access will be detailed in an environmental analysis, including public involvement and coordination with the*

*California Coastal Commission and the County of Monterey. Restrictive language in the deed for portions of the Brazil Ranch requires (a) public access and recreation, (b) wildlife habitat and resources protection, and (c) maintenance of open space.*

*No public facilities (buildings) are proposed. New trails may be proposed as part of the environmental assessment for recreation access, and will include appropriate mitigations against coastal impacts. Existing facilities will be managed to ensure (a) coastal resources are protected, (b) any development as defined by a change in the density or intensity of use of lands will occur only for recreation and conservation forum purposes, (c) potential adverse impacts on habitats and agricultural activities will be avoided, (d) water resources will be protected, and (e) recreational uses will be characterized by low intensity use (e.g. no visitor center, major campground, or other intensive recreational activities are proposed).*

*Low intensity public uses will assist in providing economic uses of the land and in meeting Coastal Act objectives for public recreation. Public access will be regulated by time, place and manner. This will provide for public enjoyment while ensuring resources and adjacent private property rights are protected. Opportunities to offer non-motorized trail access will be detailed in the environmental assessment for public access, including public involvement and coordination with the California Coastal Commission and the County of Monterey. Public access to the Old Coast Highway[sic] and to State Highway One will not be restricted. Speed limits for roads interior to the Brazil Ranch have been established to ensure public and wildlife safety, and avoid the potential for vehicle affects [sic], such as noise, from reaching adjacent properties. The speed limit is 5 MPH near buildings and 25 MPH on all other paved roads. Parking will occur in designated parking areas within the ranch and not visible from State Highway One.*

The Forest Service describes its interim planning process for potentially providing for future unguided public access as follows:

*While preparation of long-term management plans and environmental assessments are underway, limited activities may be authorized on an interim basis following an appropriate level of environmental analysis. Information collected during the monitoring of these activities will be used in the development of the long-term management strategy. For example, ... [the Forest Service has] or will authorize the following activities, limited to a cumulative total of no more than 70 visitors at the ranch at one time:*

- a. A one year temporary grazing permit*
- b. Regularly scheduled guided hikes for the public beginning spring 2006.*
- c. Conservation forums.*
- d. Public agency meetings.*

*e. Permits for filming in cooperation with the Monterey county Film Commission, such as for still photography in and around existing buildings.*

*Recreation*

*While grazing remains the principal use of the ranch, the Brazil Ranch may also provide managed public access for hiking and community activities consistent with resource protection, public safety, and concerns of adjacent landowners. Ensure that concerns related to access routes, parking, shuttles, simultaneous visitor activities, visual resources, sound, lighting, safety, emergency procedures, supervision, trespass onto adjacent properties, and privacy of adjacent landowners are addressed. Evaluate opportunities for public recreation access to include:*

- *Non-motorized trail access to the Brazil Ranch.*
- *Guided and unguided hiking opportunities.*
- *Facilities available for community activities.*
- *Free access and fee-based public access alternatives .*
- *Maximum persons at one time limitations will be based on the results of the environmental assessment process.*

*Note: Intensive visitor-serving recreation facilities and activities (such as visitor centers or campgrounds) will not be considered.*

In the interim, the Forest Service proposes:

***Interim Activity:*** *Regularly scheduled guided hikes will be allowed on existing interior ranch roads (similar to Pt. Sur Lighthouse). Managed parking will not occur along Highway 1. This interim period will allow for experimenting with a variety of hiking routes and parking areas that will be helpful in developing long-range plans. A cumulative maximum of 70 persons at one time at the ranch will be allowed.*

The Commission agrees with the Forest Service that the nature and scale of the activities proposed are limited sufficiently in scope as to not cause significant impacts on existing public access and recreation. Most importantly, the types, number and intensity of special events have been significantly reduced, which will minimize impacts to Highway 1. Thus, impacts to existing public access and recreation, for which use of Highway 1 is critical, will be minimized. Events will be limited to 70 persons at one time at the ranch, (with an annual allowance of up to four activities of up to 150 persons at one time). Monitoring will also occur, with annual reports being provided to the Commission concerning any potential impacts to public access. Finally, the project is authorized for five years only.

Apart from assuring no adverse impacts to existing public access and recreation, the Coastal Act also requires the provision of maximum public access, consistent with public safety and the protection of public rights, rights of private property owners, and natural resource areas from overuse. In addition, the Coastal Act also requires that lower cost visitor and recreational facilities shall be protected, encouraged, and, where feasible, provided.

In addition to the above interim access the Forest Service has committed to a longer term public access planning process would commence immediately, and hopefully would be completed by the end of 2006. To provide guidance for this process the Commission is conditioning its concurrence on: (a) assurance that the public access plan will be completed and implemented in the near future; (b) assurance that coastal terrace access will be considered in the plan (c) assurance that of camping (and/or a hostel) will be considered at the ranch; and (d) clarifying the relationship of specific proposal in this consistency determination with the overall framework contained in the Forest Service's Land Management Plan. With the above Forest Service commitments including guided hiking opportunities for the general public, combined with the four conditions clarifying when and how access and future planning for access will be undertaken and implemented, the proposed project would be consistent with the public access and recreation requirements of Section 30213 of the Coastal Act that "Lower cost visitor and recreational facilities shall be protected, encouraged, and, where feasible, provided," and of Section 30210 that maximum public access and recreation be provided. As long as the Forest Service plans and implements its future trail and public access planning and development in accordance with its commitments and the adopted conditions, the Commission finds that these policies would be adequately carried out. The public access plan to be completed by the end of 2006 will be submitted to the Commission for its future review (and if the deadline is not met the Commission has the authority to alternatively review the public access plans through the "federal consistency reopener" clause).

The Commission wishes to emphasize that every effort should be made to provide interim public access parking at an inland location on the Ranch, out of the public viewshed. In addition, other trail alignments to provide access to and along the Sierra Hill ridgeline should be considered. Also, unless there is some overriding concern with the protection of sensitive coastal resources, such as environmentally sensitive habitat, access to the ridgeline should be provided year-round. Conditions 1-4 are necessary to assure maximum consistency with the public access requirements of the Coastal Act.

In support of the first (i.e., the "coastal terrace") access condition, the Coastal Conservancy recently noted that, prior to the property's transfer to the Forest Service, the Trust for Public Land required recordation of an agreement requiring that:

*The real property shall be used for the purposes of public access, open space preservation and resource protection; and no use of the real property that is inconsistent with these purposes shall be permitted. Specifically, and without limiting the generality of the foregoing, public access shall be permitted on the informal trail now existing on the property that extends along the coastal blufftop,*

*and from State Highway One to the coastal blufftop trail, or on such alternative courses as may be developed by OFFEROR or its successor(s) to provide substantially equivalent access to and along the coast, consistent with the protection of natural resources and public safety.*

Finally, with respect to future planning for long term public access on the Ranch, the Commission anticipates that this planning will include an evaluation of not only trail access opportunities for the entire Ranch, but also other opportunities and/or support facilities such as picnicking sites, restroom facilities, interpretive signage, etc. Since all reasonable alignments for the California Coastal Trail (CCT) run through at least some part of the Ranch, such long term planning should identify the appropriate CCT linkages to adjacent public rights of way, to the north and to the south of the Ranch.

Addressing Condition 3, the Commission staff had previously requested that the Forest Service evaluate the feasibility and desirability of providing low intensity recreational camping at the Brazil Ranch. The Forest Service's revised proposal now states: "Intensive visitor-serving recreation facilities and activities (such as visitor centers or campgrounds) will not be considered." The Commission believes it should be considered and not automatically precluded from consideration; the long term plan should be allowed to evaluate and properly determine whether camping could be accommodated consistent with resource protection needs. Similarly, the potential for a hostel should also be evaluated, since this is an allowable secondary use under the LCP, and no other hostel facility exists or is planned for the entire Big Sur Coast.

The Commission acknowledges the importance of comprehensive planning for longterm public access to the Ranch, including the importance of including various stakeholders in the process. It is important, though, that the starting point for such planning be a framework that presumes the provision of maximum public access, subject to the regulation of the time, manner and location of such public access to protect other coastal resources, public safety, and the privacy of adjacent property owners. Thus, comprehensive planning should result in the implementation of maximum and optimum public access opportunities on these newly acquired public lands. Significantly, the Forest Service has stated that the prior Forest Service designation of the site as an "administrative site" that does not provide for general public use will have no bearing on the public access planning for the site.

Finally, to explain Condition 4 the Commission notes that the latest (September 2005) Land Management Plan for Los Padres National Forest designates the Brazil Ranch as "Back Country Motorized Use Restricted." This category is defined to mean no motorized use for the general public, but motorized use by forest service employees and special use authorization holders. This designation also allows for new roads for such purposes. Discussions with the Forest Service indicated that such a designation could be interpreted to prohibit on-site automobile access by visitors. While it is certainly not the intent of the Commission to suggest that the public should be able to drive through the Ranch, driving to and parking in a screened

location on-site is a likely necessity in order to protect the Highway One viewshed. This appears to meet the intent of the Back County designation and the Forest Service should commit to its acceptance of this interpretation.

The Commission concludes that, if modified in accordance with the Commission's conditional concurrence, the proposed project would be consistent with the public access and recreation policies (Sections 30210-30223) of the Coastal Act.

**B. Marine Resources and Environmentally Sensitive Habitat.** The marine resource and environmentally sensitive habitat policies of the Coastal Act provide:

*Section 30230. Marine resources shall be maintained, enhanced, and where feasible, restored. Special protection shall be given to areas and species of special biological or economic significance. Uses of the marine environment shall be carried out in a manner that will sustain the biological productivity of coastal waters and that will maintain healthy populations of all species of marine organisms adequate for long-term commercial, recreational, scientific, and educational purposes.*

*Section 30231. The biological productivity and the quality of coastal waters, streams, wetlands, estuaries, and lakes appropriate to maintain optimum populations of marine organisms and for the protection of human health shall be maintained and, where feasible, restored through, among other means, minimizing adverse effects of waste water discharges and entrainment, controlling runoff, preventing depletion of ground water supplies and substantial interference with surface water flow, encouraging waste water reclamation, maintaining natural vegetation buffer areas that protect riparian habitats, and minimizing alteration of natural streams.*

*Section 30240. (a) Environmentally sensitive habitat areas shall be protected against any significant disruption of habitat values, and only uses dependent on such resources shall be allowed within such areas.*

*(b) Development in areas adjacent to environmentally sensitive habitat areas and parks and recreation areas shall be sited and designed to prevent impacts which would significantly degrade such areas, and shall be compatible with the continuance of such habitat areas.*

As noted above, one of the Forest Service's missions is the protection of marine resources and sensitive habitat. The Forest Service states:

*Activities at the ranch will be managed to avoid any adverse affect on marine resources. This will include management of activities within the watershed that may affect marine resources. Where appropriate, marine resources will be maintained, enhanced, or restored.*



*Activities will be managed to avoid septic runoff and deposition of sediment. Alteration of the shoreline will not be permitted. No recreation development or activities will be allowed near tidepools. No structures within the State Highway One viewshed are proposed. The coastline will remain undeveloped.*

*Environmentally sensitive habitats shall be identified and all practical efforts will be made to maintain, restore, and if possible, enhance environmentally sensitive habitats. A resources inventory that will include identification of sensitive habitats has been initiated. A small area of coast buckwheat (*Eriogonum latifolium*), a known food for the endangered Smith's blue butterfly (*Euphilotes enoptes smithi*), has been identified and made off-limits to activities by fencing. Similar protection measure will be implemented if and when additional environmentally sensitive habitats are identified. Activities will be monitored to prevent irreversible or irretrievable commitment of resources.*

The activities authorized under this general consistency determination would be conducted in existing developed areas of the ranch (including existing ranch roads and paths) and would not affect marine resources or environmentally sensitive habitat. No new buildings or grading are proposed, and sensitive habitat will be fenced and off-limits. In addition, as discussed above the general consistency determination includes provisions for reporting to the Executive Director activities authorized under this consistency determination prior to authorization of the project. Therefore, the Director can assure that the project remains consistent with this general consistency determination and monitor the effects of projects authorized by this process. Also, the general consistency determination is only valid for five years. This provision will prevent the general consistency determination from having long-term effects and will allow the Commission to review the general consistency determination at the end of five years to determine if conditions have changed. With these considerations, with respect to marine resources, water quality, and environmentally sensitive habitat concerns, the activities would be consistent with the requirements of Sections 30230, 30231, and 30240 to maintain, protect, and restore, where feasible, marine resources and environmentally sensitive habitat.

**C. Visual Resources.** Section 30251 of the Coastal Act requires that:

*The scenic and visual qualities of coastal areas shall be considered and protected as a resource of public importance. Permitted development shall be sited and designed to protect views to and along the ocean and scenic coastal areas, to minimize the alteration of natural land forms, to be visually compatible with the character of surrounding areas, and, where feasible, to restore and enhance visual quality in visually degraded areas. New development in highly scenic areas such as those designated in the California Coastline Preservation and Recreation Plan prepared by the Department of Parks and Recreation and by local government shall be subordinate to the character of its setting.*

State Highway Route 1, which runs through the entire seaward portion of the Ranch for a distance of 2.1 miles, is designated both as a State Scenic Highway and a National Scenic Byway. Caltrans has worked to protect this iconic segment of the Big Sur Coast Highway through a variety of measures, including preservation of the historic rockwork and the great single-arch bridge across Bixby Creek. Caltrans maintains the paved viewpoints at the north abutment of Bixby Bridge and at Hurricane Point; these are the main vantage points for the public enjoyment of the Brazil Ranch landscape. In partnership with the County, Coastal Commission, the Forest Service and many other agencies, Caltrans recently completed the Coast Highway Management Plan—a primary purpose of which is to protect the highly scenic character of this nationally-significant route. In addition, protection of the critical viewshed of the Big Sur Coast is a central policy and requirement of the Monterey County LCP.

As discussed, no new buildings are proposed by the Forest Service, and parking for proposed events would occur in existing parking areas outside of the critical viewshed. However, on-going negotiations with the Forest Service may result in establishing interim parking in the critical viewshed for public access to the Coastal Terrace. Condition 1 requires the Forest Service to establish that other parking options to support this access, outside of the critical viewshed, are not feasible, before any parking would be allowed in the viewshed. Thus, interim parking may not be established in the viewshed. If such parking were shown to be necessary, it would be temporary, until such time as the Forest Service Public Access planning was completed, which should allow for the establishment of permanent public access parking for the Ranch outside of the viewshed. Thus, the viewshed impacts contemplated by the current proposal, while hopefully avoided entirely pursuant to Condition 1, would be nonetheless temporary. If modified in accordance with the Commission's conditional concurrence, the proposed project would be consistent with Section 30251 of the Coastal Act.

**D. Agriculture and LCP Consistency.** Sections 30241 and 30242 of the Coastal Act provides for the protection of agricultural lands, including maintaining the maximum amount of agricultural lands in production. When the Brazil Ranch was in private ownership, its land use designation under the Big Sur Coast Land Use Plan (a portion of the segmented Monterey County Local Coastal Program) was established as Watershed & Scenic Conservation (WSC-40). This land use designation requires protection of watersheds, streams, plant communities, and scenic values as the primary objective, and provides for “principal uses” to include agriculture/grazing and related ranch buildings. The Forest Service notes:

*The California Coastal Commission has certified a Monterey County Local Coastal Program (LCP). The Monterey County LCP classified the Brazil Ranch under the Watershed and Scenic Conservation land use category. Under this classification, protection of watersheds, streams, plant communities, and scenic values is the primary objective. Principal uses in this category include agriculture/grazing and supporting ranch houses and related ranch buildings. The Watershed and Scenic Conservation category also allows for secondary uses, including recreational and educational activities that are compatible with the natural resources of the area. Facilities may include interpretive centers, rustic inn or lodging units, on-site dining, hostels, and*

*campgrounds. On privately held lands, these secondary uses are subject approval through a county conditional use planning process and may also receive California Coastal Commission review. In the interest of conformance with the Monterey County LCP to the maximum extent practicable, the Forest Service will evaluate activities at the Brazil Ranch in a manner similar to that afforded activities on private lands through the appropriate environmental analysis process prescribed under the federal National Environmental Protection Act (NEPA) and Forest Service regulations. Additionally, because the Brazil Ranch is now in public ownership as national forest system lands, the ranch is eligible to be reclassified into the National Forest category under the Monterey County LCP. However, in response to recommendations by community members, ...[the Forest Service does] not plan to seek this redesignation for the Brazil Ranch.*

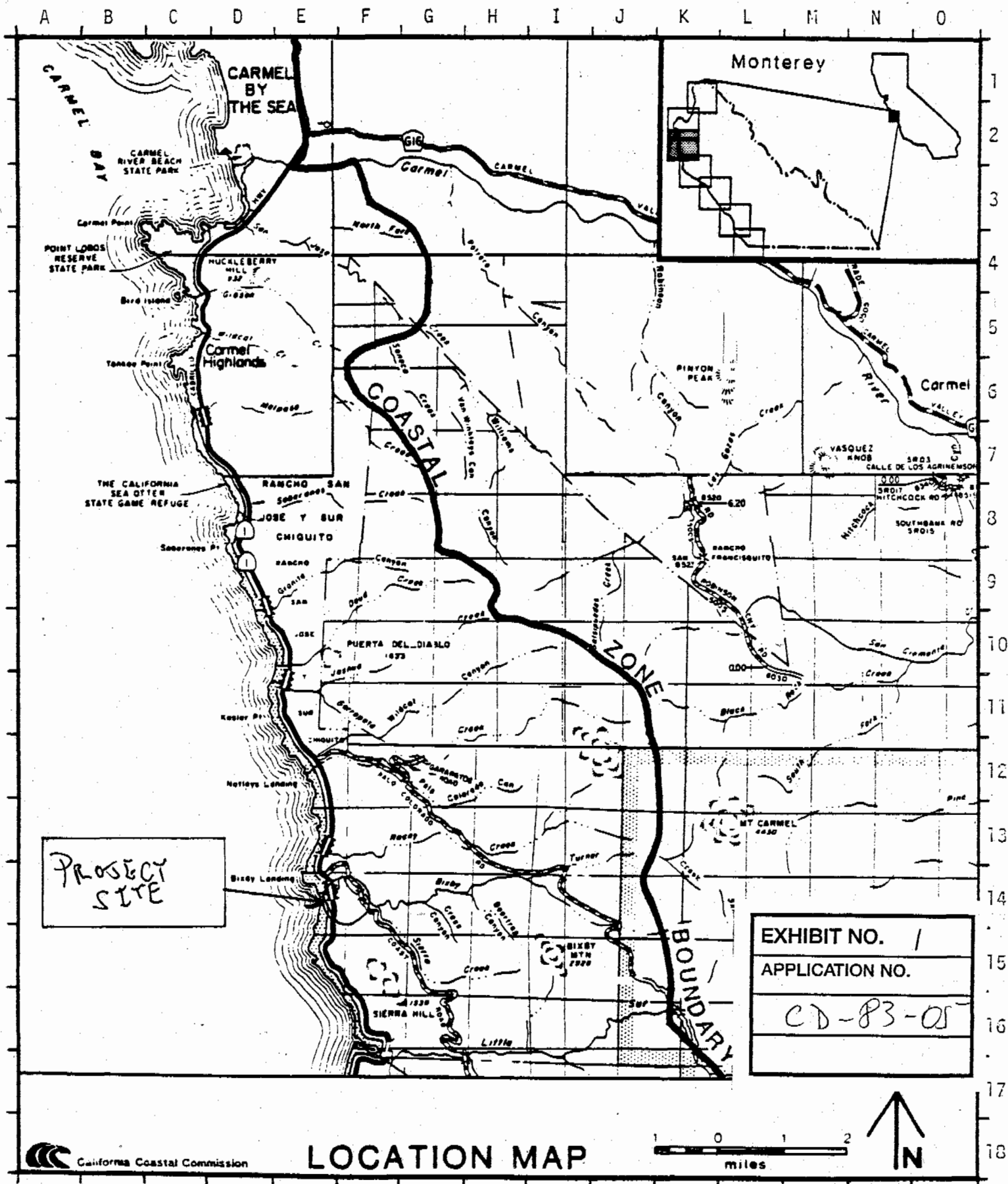
The Commission finds that the Forest Service's revised proposal conforms with the intended land uses based on the County's Local Coastal Program, and, as modified, would be consistent with the agricultural protection requirements of Sections 30241 and 30242 of the Coastal Act.

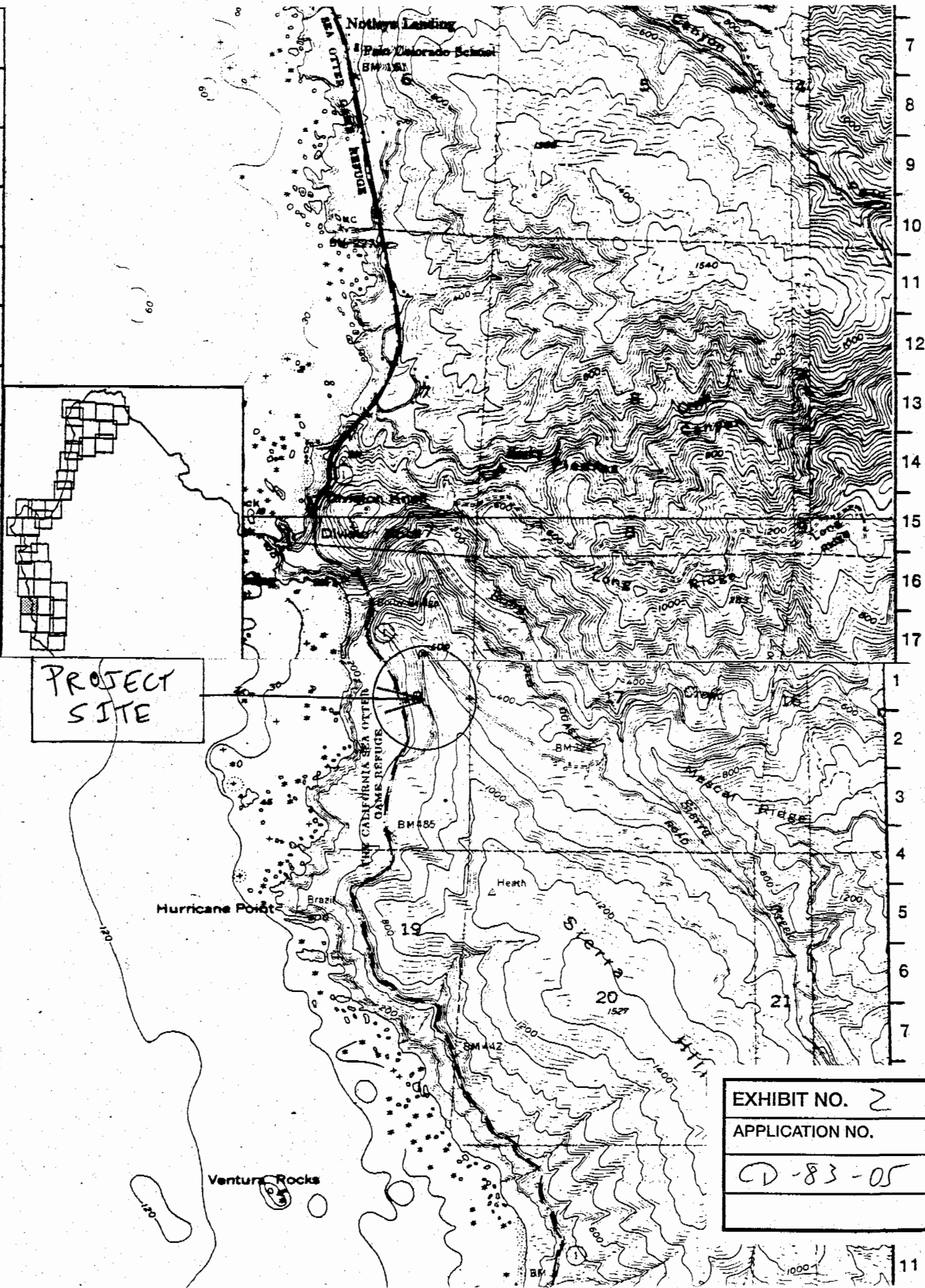
**IX. SUBSTANTIVE FILE DOCUMENTS:**

1. Navy General Consistency Determinations CD-12-93, CD-70-98, and CD-93-93.
2. Forest Service Consistency Determination CD-18-88 and Negative Determinations ND-58-05 and ND-081-05.
3. Big Sur Coast Land Use Plan and Zoning/Implementation portions of certified Local Coastal Program for Monterey County.
4. First American Title Document: 2001100493, Recorded Irrevocable Offer to Dedicate Title in Fee, Made by the Trust for Public Land, Recorded in Monterey County 11/29/01

Exhibits – Attached







PROJECT  
SITE

EXHIBIT NO. 2
APPLICATION NO.
CD-83-05

# Brazil Ranch

Monterey Ranger District  
Los Padres National Forest



**Bixby Bridge with  
Brazil Ranch in background. Buildings are  
not visible for State Highway One**

EXHIBIT NO. 3

APPLICATION NO.

CD-083-05

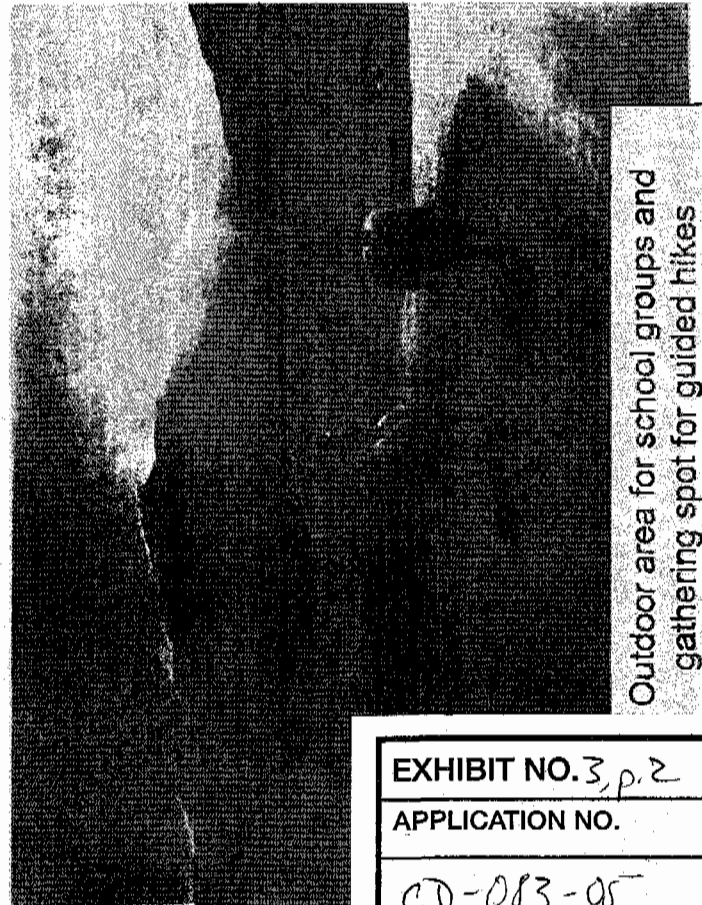




Aerial looking west. Buildings are not visible from State Highway One



Looking north from the "Indian House" at the full-time residence for the Brazil Ranch Site Manager



Outdoor area for school groups and gathering spot for guided hikes



Looking south from the proposed terminus for guided hikes

EXHIBIT NO. 3, p. 2

APPLICATION NO.

CD-083-05



# Attachment D – Area Photographs



Interior access road from screened parking area to redwood barn



Handcrafted redwood barn provides meeting space for larger groups



The "Indian House" provides a small meeting space

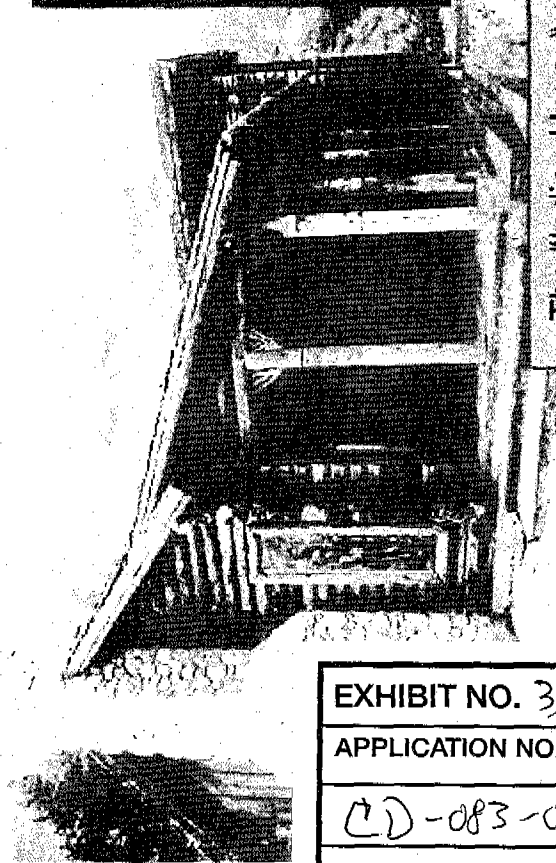


EXHIBIT NO. 3\_p.3

APPLICATION NO.

CD-083-05



United States  
Department of  
Agriculture

Forest  
Service

Los Padres National Forest  
Monterey Ranger District

406 S. Mildred  
King City, CA 93930  
831-385-5434

**File Code:** 2310

**Date:** January 20, 2006

Charles Lester  
Deputy Director  
California Coastal Commission  
725 Front Street, Suite 300  
Santa Cruz, California 95060

RE: Revised Coastal Consistency Determination for the Brazil Ranch,  
Los Padres National Forest

Dear Dr. Lester:

I am submitting a revised General Coastal Consistency Determination for the Brazil Ranch, Monterey Ranger District, Los Padres National Forest. This determination is in compliance with Sections 930.34 and 930.35 of the National Oceanic and Atmospheric Administration Federal Consistency Regulations (Title 15, Code of Federal Regulations, Part 930). The original Consistency Determination was submitted to you on July 8, 2005. This revised Project Description and Consistency Determination is responsive to the public and Commissioner comment during the September 14, 2005 California Coastal Commission hearings in Eureka, several subsequent meetings with Big Sur community members, additional public correspondence, and suggestions from Coastal Commission staff.

### EXECUTIVE SUMMARY

I have responded to public and Commissioner recommendations by making many changes to the original project description. Most notably:

1. Opportunities will be sought to maintain historic grazing activities as the principal use of the ranch, consistent with resource protection and other specific management and research objectives.
2. Conservation forums on issues related to environmental conservation, stewardship and sustainability may be authorized while grazing remains the principal use of the ranch.
3. Weddings, family retreats or meetings unrelated to conservation forums will no longer be authorized.
4. Activities will receive an appropriate level of environmental analysis including the opportunity for public involvement.

<b>EXHIBIT NO.</b> 4
<b>APPLICATION NO.</b>
CD - 83-05



5. While preparation of long-term management plans and environmental assessments are underway, limited activities may be authorized on an interim basis following an appropriate level of environmental analysis. Information collected during the monitoring of these activities will be used in the development of the long-term management strategy. For example, I have or will authorize the following activities, limited to a cumulative total of no more than 70 visitors at the ranch at one time:
  - a. A one year temporary grazing permit
  - b. Regularly scheduled guided hikes for the public beginning spring 2006.
  - c. Conservation forums.
  - d. Public agency meetings.
  - e. Permits for filming in cooperation with the Monterey Film Commission, such as for still photography in and around existing buildings.

## **BACKGROUND**

The Brazil Ranch is located immediately south of the Bixby Creek Bridge, approximately 12 miles south of Carmel. (See Location Map.) The ranch is bifurcated on the west by California Highway 1 and by the Old Coast Highway on the east. The ranch, with the historic Bixby Bridge in the foreground and Hurricane Point in the background, is arguably one of the most photographed locations of Big Sur. None of the existing ranch buildings are visible from these viewpoints.

The lands comprising today's Brazil Ranch were homesteaded in the mid-1800s. In time, several of these early homesteads were sold to the John Brazil family, who eventually gained title to nine original homestead lots comprising 1,200 acres and known collectively as the Brazil Ranch. During this time, the ranch was actively managed for cattle and horses. A dairy also operated until 1898. The lands were later sold to Allen Funt, of Candid Camera fame. During his quarter-century of ownership, Mr. Funt constructed all of the existing buildings and operated a horse and cattle business on the property. The buildings are clustered in a central core area and include three residences, two barns, corrals and several small horse shelters. During this time, the Brazil Ranch was frequented by Allen Funt and his guests, as well as commercial horse and cattle operators, hay trucks, and horse and cattle trailers. The property was later sold by the Funt Estate to a real estate developer who had learned that the original homesteads remained recorded as nine separate tax lots that could allow for residential development. Brazil Ranch was purchased by the conservation community and public funding in 2002 to protect scenic and other natural resource values, and provide for public use. Management responsibility was transferred to Los Padres National Forest.

The California Coastal Commission has certified a Monterey County Local Coastal Program (LCP). The Monterey County LCP classified the Brazil Ranch under the Watershed and Scenic Conservation land use category. Under this classification, protection of watersheds, streams, plant communities, and scenic values is the primary objective. Principal uses in this category include agriculture/grazing and

supporting ranch houses and related ranch buildings. The Watershed and Scenic Conservation category also allows for secondary uses, including recreational and educational activities that are compatible with the natural resources of the area. Facilities may include interpretive centers, rustic inn or lodging units, on-site dining, hostels, and campgrounds. On privately held lands, these secondary uses are subject approval through a county conditional use planning process and may also receive California Coastal Commission review. In the interest of conformance with the Monterey County LCP to the maximum extent practicable, the Forest Service will evaluate activities at the Brazil Ranch in a manner similar to that afforded activities on private lands through the appropriate environmental analysis process prescribed under the federal National Environmental Protection Act (NEPA) and Forest Service regulations. Additionally, because the Brazil Ranch is now in public ownership as national forest system lands, the ranch is eligible to be reclassified into the National Forest category under the Monterey County LCP. However, in response to recommendations by community members, I do not plan to seek this redesignation for the Brazil Ranch.

### **NEED FOR BRAZIL RANCH CONSISTENCY REVIEW**

Management direction for national forest system lands in the coastal zone of the Monterey Ranger District, Los Padres National Forest, is contained in the revised Land Management Plan and Record of Decision signed September 20, 2005. This revised plan established long-range direction for management of national forest system lands. A Negative Determination of the revised plan was reviewed and received concurrence from the California Coastal Commission. I believe management of the Brazil Ranch will benefit from an additional California Coastal Commission general consistency determination review specific to the Brazil Ranch.

A general consistency determination is a coordination process (pursuant to 15 CFR Section 930.36 (c)) that allows the Forest Service to propose, and the Commission to authorize, general types of activities that individually do not affect the coastal zone, but cumulatively could affect the coastal zone. A general consistency determination eliminates the need to review repeated negative determinations for these activities. The proposed activities are minor and temporary in nature, will not alter coastal resources, sensitive habitats, the quality of public recreation in the area, scenic public views, or other resource values<sup>1</sup>.

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<sup>1</sup> 15 CFR Section 930.36 (c) *General consistency determinations*. In cases where Federal agencies will be performing repeated activity other than a development project (e.g., ongoing maintenance, waste disposal) which cumulatively has an effect upon any coastal use or resource, the Federal agency may develop a general consistency determination, thereby avoiding the necessity of issuing separate consistency determinations for each incremental action controlled by the major activity. A Federal agency may provide a State agency with a general consistency determination only in situations where the incremental actions are repetitive and do not affect any coastal use or resource when performed separately. A Federal agency and State agency may mutually agree on a general consistency determination for de minimis activities (see §930.33(a)(3)) or any other repetitive activity or category of activity(ies). If a Federal agency issues a general consistency determination, it shall

## **REVISED PROJECT DESCRIPTION**

### **1. Stewardship.**

All activities will be managed to protect watersheds, scenic values, streams, plant communities, wildlife habitat, the marine environment, and cultural resources.

### **2. Agriculture and Grazing**

In recognition of the certified Monterey County Local Coastal Program (LCP), (including the Big Sur Coast Land Use Plan, Protected Waterways Plans for the Big Sur and Little Sur Rivers, and development standards contained in the applicable implementing ordinances), and the classification of the Brazil Ranch as Watershed and Scenic Conservation, opportunities will be sought to maintain historic grazing activities as the principal use of the ranch. These uses will be consistent with resource protection and other specific management and research objectives. Specific management objectives include fire hazard reduction, exotic species eradication, and visual resource enhancement.

### **3. Recreation Access**

Managed public access for hiking and community activities will be provided, consistent with resource protection, public safety, and the concerns of adjacent landowners.

### **4. Conservation Forums**

Conservation forums on issues related to environmental conservation, stewardship and sustainability may take place in cooperation with the Big Sur Environmental Institute. These activities may occur while grazing remains the principal use of the ranch.

### **5. Public Agency Access**

Managed public agency access for meetings will be authorized.

### **6. Research**

Research opportunities will be provided to understand resources and sustainable management of the Big Sur environment.

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thereafter periodically consult with the State agency to discuss the manner in which the incremental actions are being undertaken.

## **7. Special use authorizations.**

Permits for filming in cooperation with the Monterey County Film Commission will be considered on an individual basis. Weddings, family retreats, or meetings unrelated to Conservation Forums will not be authorized.

## **8. Facility Management**

No new facility development, alteration of the size of any existing structure, or change to the physical appearance of any existing structure is proposed. Activities such as maintenance of existing facilities, building code compliance (e.g. to meet health and safety requirements) and interior modifications of some existing buildings (e.g. to improve public access, provide accessibility for persons with disabilities, or to meet health and safety standards) may occur. Any proposals will be evaluated in a manner similar to that afforded activities on private lands (i.e. Monterey County planning checklists will be used for guidance).

For additional information, refer to Attachment A, Detailed Description and Timeline and Attachment B, Analysis of Management Guidelines.

## **DETERMINATION**

Based on a thorough analysis of national forest system policy and management guidelines specific to the Brazil Ranch as detailed in Attachments A and B, I have determined management of the Brazil Ranch by Los Padres National Forest:

1. Will not affect the resources of the coastal zone,
2. Is fully consistent, and thus is consistent to the maximum extent practicable, with the relevant enforceable policies of the California Coastal Management Program (CCMP) and the Monterey County Local Coastal Program,
3. Is in compliance with the Federal Coastal Zone Management Act of 1972, as amended, and
4. Is the same as, or similar to, activities for which consistency determinations have been prepared in the past, including earlier Coastal Commission review of the Los Padres National Forest Management Plan.

My determination affirms Los Padres National Forest as a partner with the California Coastal Commission, the County of Monterey, and area residents in managing the resources of an immensely valuable coastal zone. My determination also includes a commitment for continued coordination with the Coastal Commission, Monterey County, and area residents for activities at the Brazil Ranch, including:

1. Opportunities to monitor the effects of projects authorized by this general consistency determination,
2. Annual reporting of activities conducted pursuant to this general consistency determination,

3. A complete review in five years allowing the Commission to review the general consistency determination to determine if conditions have changed and to allow for an extension of this determination, and
4. Where applicable, submittal of future consistency or negative determinations for specific activities.

I look forward to working with you and the Coastal Commission to complete this general coastal consistency determination process. Please call upon me at any time to discuss this or other activities within the Monterey Ranger District.

Sincerely,

JOHN S. BRADFORD  
Monterey District Ranger

Attachments:

Attachment A, Detailed Project Description and Timeline  
Attachment B, Analysis of Management Guidelines  
Attachment C, Area Map  
Attachment D, Area Photographs

cc: Mark Delaplaine  
Lee Otter

**Attachment A - Detailed Project Description and Timeline** (Revised January 20, 2006)  
**General Coastal Consistency Determination for the Brazil Ranch**

<b>Project Description</b>	<b>Planning Process</b>	<b>Dates</b>
<b>1. Stewardship</b> <ul style="list-style-type: none"> <li>All activities will be managed to protect watersheds, scenic values, streams, plant communities, wildlife habitat, the marine environment, and cultural resources.</li> <li>Identify and protect environmentally sensitive habitats against any significant disruption of habitat values.</li> <li>Monitor and prevent adverse influences that could result in irreversible or irretrievable commitment of resources.</li> </ul>	Forest Plan Revision  Resource study  Monitoring	Plan completed 9/05; on-going  Study completed 11/05; ongoing.  On-going
<b>2. Agriculture and Grazing</b> <ul style="list-style-type: none"> <li>Opportunities will be sought to maintain historic grazing activities as the principal use of the ranch, consistent with resource protection and other specific management and research objectives. Specific management objectives include fire hazard reduction, exotic species eradication, and visual resource enhancement.</li> <li>Develop partnerships with local universities, ranching industry, conservation organizations and community members to experiment with various grazing regimes. Include fire hazard reduction, noxious weed eradication, species diversity, and maintaining open pastoral vistas in establishing stewardship goals.</li> </ul>	Environmental Assessment	Begin planning process 01/06, with goal of completing by 12/31/2006
<b>Interim Activity:</b> Authorize one year grazing permit with monitoring and controls to ensure resource protection.	Environmental Analysis & Decision Memo	Completed 11/05; on-going



# Attachment A - Detailed Project Description and Timeline (Revised January 20, 2006) General Coastal Consistency Determination for the Brazil Ranch

<p><b>3. Recreation</b></p> <p>While grazing remains the principal use of the ranch, the Brazil Ranch may also provide managed public access for hiking and community activities consistent with resource protection, public safety, and concerns of adjacent landowners. Ensure that concerns related to access routes, parking, shuttles, simultaneous visitor activities, visual resources, sound, lighting, safety, emergency procedures, supervision, trespass onto adjacent properties, and privacy of adjacent landowners are addressed. Evaluate opportunities for public recreation access to include:</p> <ul style="list-style-type: none"> <li>• Non-motorized trail access to the Brazil Ranch</li> <li>• Guided and unguided hiking opportunities.</li> <li>• Facilities available for community activities</li> <li>• Free access and fee-based public access alternatives</li> <li>• Maximum persons at one time limitations will be based on the results of the environmental assessment process</li> </ul> <p><i>Note: Intensive visitor-serving recreation facilities and activities (such as visitor centers or campgrounds) will not be considered.</i></p> <p><b>Interim Activity:</b> Regularly scheduled guided hikes will be allowed on existing interior ranch roads (similar to Pt. Sur Lighthouse). Managed parking will not occur along Highway 1. This interim period will allow for experimenting with a variety of hiking routes and parking areas that will be helpful in developing long-range plans. A cumulative maximum of 70 persons at one time at the ranch will be allowed.</p>	<p>Environmental Assessment for public access</p>	<p>Begin planning process 01/06, with goal of completing by 12/31/2006</p>
<p><b>4. Conservation Forums</b></p> <p>While grazing remains the principal use of the ranch, the Brazil Ranch may also provide public access for conservation forums and education programs on issues related to environmental conservation, stewardship and sustainability in partnership with the Big Sur Environmental Institute, to include:</p> <ul style="list-style-type: none"> <li>• Programs for school children, university students, conservation organizations, visitors and community members in wildlife observation;</li> </ul>	<p>Environmental Assessment for public access</p>	<p>Begin planning process 01/06, with goal of completing by 12/31/2006</p>

# Attachment A - Detailed Project Description and Timeline (Revised January 20, 2006) General Coastal Consistency Determination for the Brazil Ranch

<p>landscape painting; nature photography; sharing literature about resources, conservation and history; and discussions about environmental issues.</p> <ul style="list-style-type: none"> <li>• Forums addressing local, national and international stewardship of the environment designed to guide companies, communities and government agencies onto an ecologically, socially and economically sustainable path. Bring together sustainability experts, scientists, universities, and businesses to create solutions, innovative models and tools that will lead the transition to a sustainable future.</li> <li>• Maximum persons at one time limitations will be based on the results of the environmental assessment process.</li> </ul> <p><i>Note: The Big Sur Environmental Institute will provide many conservation education activities to the public at no charge. Fees from other mission-related conservation workshops or meetings will help pay for operations of the ranch, children's educational programming, public access, maintenance, and monitoring.</i></p> <p><b>Interim Activity:</b> Scheduled conservation education programs and community activities will be authorized. This interim period will allow for experimenting with a variety of activities and numbers of participants that will be helpful in developing long-range plans. A cumulative maximum of 70 persons at one time at the ranch, with an allowance of up to four activities of up to 150 persons at one time, will be authorized.</p>	<p>Environmental Analysis &amp; Decision Memo</p>	<p>On-going until Environmental Assessment completed</p>
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**Attachment A - Detailed Project Description and Timeline** (Revised January 20, 2006)  
**General Coastal Consistency Determination for the Brazil Ranch**

<p><b>5. Public Agency Use</b></p> <ul style="list-style-type: none"> <li>While grazing remains the principal use of the ranch, managed public agency use will be authorized.</li> <li>Maximum persons at one time limitations will be based on the results of the environmental assessment process.</li> </ul> <p><b>Interim Activity:</b> Scheduled agency meetings. A cumulative maximum of 70 persons at one time at the ranch will be allowed.</p>	<p>Environmental Assessment for public access</p> <p>Environmental Analysis &amp; Decision Memo</p>	<p>Begin planning process 01/06, with goal of completing by 06/06</p> <p>On-going until Environmental Assessment completed</p> <p>Begin 01/06</p>
<p><b>6. Research</b></p> <p>Provide and promote research opportunities to understand natural resources and their sustainable management.</p>	<p>Environmental Analysis &amp; Decision Memo for permitted activities</p>	

# Attachment A - Detailed Project Description and Timeline (Revised January 20, 2006) General Coastal Consistency Determination for the Brazil Ranch

<p><b>7. Special Use Authorizations:</b></p> <ul style="list-style-type: none"> <li>While grazing remains the principal use of the ranch, permits for filming in cooperation with the Monterey County Film Commission will be considered on an individual basis. Film permits will generally occur within or adjacent to existing buildings, and will not be visible from Highway 1. Fees from these permits will be retained to support operations of the ranch, public access and educational programming, site maintenance, and monitoring. Permit holders will be encouraged to meet their needs for lodging, food and other services from Big Sur and other area businesses.</li> </ul> <p><i>Note: Weddings, family retreats or meetings unrelated to Conservation Forums will not be authorized.</i></p>	<p>Environmental Analysis &amp; Decision Memo for permitted activities</p>	<p>Begin 01/06</p>
<p><b>8. Facility Management:</b></p> <p>Activities such as maintenance of existing facilities, building code compliance (e.g. to meet health and safety requirements) and interior modifications of some existing buildings (e.g. to improve public access, provide accessibility for persons with disabilities, or to meet health and safety standards) may occur. Any proposals will be evaluated in a manner similar to that afforded activities on private lands (i.e. Monterey County planning checklists will be used for guidance).</p> <p><i>Note: Under this proposal, no new residential, commercial or industrial development (i.e. construction of new facilities), alteration of the size of any existing structure, or change to the physical appearance of any existing building will be allowed.</i></p>	<p>Environmental Analysis &amp; Decision Memo</p>	<p>November 2005</p>



**Attachment B - Analysis of Management Guidelines** (Revised January 20, 2006)  
**General Coastal Consistency Determination for the Brazil Ranch**

<b>California Coastal Act</b>	<b>Monterey County Local Coastal Program (Big Sur Land Use Plan)</b>	<b>Brazil Ranch Management Guidelines</b>
<p><b>Article 2 Public Access</b></p> <p>Section 30210 Provide access consistent with (1) public safety, (2) the protection of public rights, (3) the protection of private property rights, and (4) the protection of natural resources areas from overuse.</p> <p>Section 30001.5(c) Maximize public access to and along the coast and maximize public recreational opportunities in the coastal zone consistent with sound resources conservation principles</p>	<p>Section 6.1.3 Public Access Policy The rights of access to the shoreline, public lands, and along the coast, and opportunities for recreational hiking access, shall be protected, encouraged and enhanced.</p> <p>Section 5.3.1.2 and Section 5.4.3.D-9 Land Use Category Watershed and Scenic Conservation stipulates that adequate public access shall be provided to recreational areas located within W&amp;SC land use category.</p> <p>Section 3.3.2.5 Public access in areas of environmentally sensitive habitats shall be limited to low-intensity recreational, scientific, or educational uses. Access shall generally be controlled and confined to the designated trails and paths. No access shall be approved which results in significant disruption of the habitat.</p>	<p>Managed public access will be provided consistent with (1) grazing as the principal use of the ranch, (2) public safety, (3) the protection of public rights, (4) the protection of private property rights, and (5) the protection of natural resources areas from overuse.</p> <p>Public access along State Highway One and the Old Coast Highway will not be impinged. Public access to the Brazil Ranch will be managed to allow for public enjoyment while ensuring resources and adjacent private property rights are protected. Parking will primarily occur in designated parking areas not visible from State Highway One. Potential affects to traffic on Highway One as a result of this proposal will be evaluated, and recommendations made to overcome or mitigate any identified conflicts. Opportunities to offer non-motorized trail access will be detailed in an environmental analysis, including</p>

**Attachment B - Analysis of Management Guidelines** (Revised January 20, 2006)  
**General Coastal Consistency Determination for the Brazil Ranch**

California Coastal Act	Monterey County Local Coastal Program (Big Sur Land Use Plan)	Brazil Ranch Management Guidelines
<p>Section 30211 Development shall not interfere with the public's right of access to the sea</p> <p>Section 30212 New development shall not interfere with access from roads to the shoreline</p>	<p>Section 6.1.5.B Dedication of access easements will be required in all locations fronting the shoreline as a condition of new development.</p>	<p>public involvement and coordination with the California Coastal Commission and the County of Monterey. Restrictive language in the deed for portions of the Brazil Ranch requires (a) public access and recreation, (b) wildlife habitat and resources protection, and (c) maintenance of open space.</p> <p>No development is proposed nor will be authorized that could potentially interfere with access to the sea. This includes either physical development (e.g. alteration of the size of structures) or a change in the density or intensity of use of lands (e.g. activities). No trails or roads are proposed to provide access to the ocean waters from either State Highway One or the Old Coast Highway.</p>
<p>Section 30213 Public facilities, where appropriate and feasible, shall be distributed to mitigate against coastal impacts</p>	<p>Section 5.3.1.2 Land Use Category Watershed and Scenic Conservation The following criteria shall apply to rustic inns, lodging units, hostels and employee housing within the W&amp;SC land use category:</p> <p>5.4.3 C-1 Suitability for recreation uses.</p>	<p>No public facilities (buildings) are proposed. New trails may be proposed as part of the environmental assessment for recreation access, and will include appropriate mitigations against coastal impacts. Existing facilities will be managed to ensure (a) coastal resources are protected, (b)</p>

**Attachment B - Analysis of Management Guidelines** (Revised January 20, 2006)  
**General Coastal Consistency Determination for the Brazil Ranch**

<b>California Coastal Act</b>	<b>Monterey County Local Coastal Program (Big Sur Land Use Plan)</b>	<b>Brazil Ranch Management Guidelines</b>
	<p>Development of recreation and visitor – serving facilities are preferred over other types of development.</p> <p>5.4.2.1 and 3. Ability to avoid adverse impacts on adjacent habitats and agricultural activities.</p> <p>5.4.3.D-9. Adequate public access shall be provided to recreational areas</p> <p>3.4.1 Water resources will be protected</p> <p>5.4.3.C-6 Development of low intensity recreation uses and visitor serving facilities are encouraged on the larger properties where this will assist in providing economic uses of the land and in meeting Coastal Act objectives for public recreation.</p>	<p>any development as defined by a change in the density or intensity of use of lands will occur only for recreation and conservation forum purposes, (c) potential adverse impacts on habitats and agricultural activities will be avoided, (d) water resources will be protected, and (e) recreational uses will be characterized by low intensity use (e.g. no visitor center, major campground, or other intensive recreational activities are proposed).</p> <p>Low intensity public uses will assist in providing economic uses of the land and in meeting Coastal Act objectives for public recreation.</p>
<p><b>Section 30214</b> Implement public access requirements taking into account the need to regulate the time, place and manner of public access.</p>	<p>Section 6.1.4.9 Seek to ensure rights of residents and property owners are not jeopardized by unmanaged, inappropriate or irresponsible public access.</p> <p>Section 20.145.140 of the Monterey Coastal Implementation Plan, Land</p>	<p>Public access will be regulated by time, place and manner. This will provide for public enjoyment while ensuring resources and adjacent private property rights are protected. Opportunities to offer non-motorized trail access will be detailed in the environmental assessment for public</p>



**Attachment B - Analysis of Management Guidelines** (Revised January 20, 2006)  
**General Coastal Consistency Determination for the Brazil Ranch**

California Coastal Act	Monterey County Local Coastal Program (Big Sur Land Use Plan)	Brazil Ranch Management Guidelines
	Use Development Standards, defines "intensive recreational activities" to include tennis, golf, cinemas, mechanized recreation, and boating facilities.	access, including public involvement and coordination with the California Coastal Commission and the County of Monterey. Public access to the Old Coast Highway and to State Highway One will not be restricted. Speed limits for roads interior to the Brazil Ranch have been established to ensure public and wildlife safety, and avoid the potential for vehicle affects, such as noise, from reaching adjacent properties. The speed limit is 5 MPH near buildings and 25 MPH on all other paved roads. Parking will occur in designated parking areas within the ranch and not visible from State Highway One.
<b>Article 3 Recreation</b>  Section 30220 Coastal areas suited for water-oriented recreational activities that cannot readily be provided at inland water areas shall be protected.  Section 30221 Oceanfront land suitable for	Section 5.3.1.2 Land Use Category Watershed and Scenic Conservation Recreational facilities (including rustic inns, lodging units, hostels, cabins, improved restrooms and interpretive centers) are permitted secondary uses within this land use category. Section 6.1.6.3 Trail Standards. Trails should be managed to: protect	There are no coastal areas suitable for water-oriented recreational activities within the Brazil Ranch. Trail or road access will not be created to provide water-oriented recreational opportunities. Managed recreational opportunities to upland areas will be provided consistent with public safety, resource protection, and recognition of

**Attachment B - Analysis of Management Guidelines** (Revised January 20, 2006)  
**General Coastal Consistency Determination for the Brazil Ranch**

<b>California Coastal Act</b>	<b>Monterey County Local Coastal Program (Big Sur Land Use Plan)</b>	<b>Brazil Ranch Management Guidelines</b>
<p>recreational use shall be protected for recreational use and development.</p> <p>Section 30222 The use of private lands suitable for visitor-serving commercial recreational facilities designed to enhance public opportunities for coastal recreation shall have priority over private residential, general industrial, or general commercial development, but not over agriculture or coastal-dependent industry.</p>	<p>existing vegetation; protect wildlife habitat, wetlands or environmentally sensitive habitats; avoid or reduce visibility from a public road; minimize conflicts with adjacent land uses, protect local residents' privacy; and protect the public's interest in a quiet and scenic hiking experience.</p>	<p>adjacent private property rights and deed restrictions. Measures will be taken to ensure protection of the environment (e.g. ensuring that human waste from visitors will not reach the marine environment). Recreation activities shall be limited to low-intensity recreational, scientific, or educational uses, such as nature study and observation, education programs, nature photography or painting, and hiking. Recreation, including trail use, will be managed to: protect existing vegetation; protect wildlife habitat, wetlands or environmentally sensitive habitats; avoid or reduce visibility from a public road; minimize conflicts with adjacent land uses, protect local residents' privacy; and protect the public's interest in a quiet and scenic experience.</p> <p>No new recreation structures (buildings) are planned. New trails may be proposed as part of the environmental assessment for recreation access. Maintenance of facilities and interior modifications of</p>

**Attachment B - Analysis of Management Guidelines** (Revised January 20, 2006)  
**General Coastal Consistency Determination for the Brazil Ranch**

California Coastal Act	Monterey County Local Coastal Program (Big Sur Land Use Plan)	Brazil Ranch Management Guidelines
		<p>some existing buildings to improve public access, accessibility for persons with disabilities, or health &amp; safety are envisioned. For example, a storage area within the existing barn is under evaluation for conversion to a public meeting space. Providing permanent toilets inside the barn (in lieu of the current use of portable toilets) is under consideration, and would be matched to an approved septic system to meet health and safety requirements. Modifications to the existing drinking water system are under design in cooperation with the Monterey County Health Department to meet public health and safety requirements. A wheel-chair accessible ramp replaced steps into an existing log home.</p> <p>As described under Article 2, Public Access, recreation will be the subject of a detailed environmental assessment that will include public involvement and coordination with the California Coastal Commission and Monterey County.</p>

**Attachment B - Analysis of Management Guidelines** (Revised January 20, 2006)  
**General Coastal Consistency Determination for the Brazil Ranch**

California Coastal Act	Monterey County Local Coastal Program (Big Sur Land Use Plan)	Brazil Ranch Management Guidelines
<p><b>Article 4 Marine Environment</b></p> <p>Section 30230  Marine resources shall be maintained, enhanced, and where feasible, restored.</p>	<p>Section 3.3.1 Environmentally Sensitive Habitats, Key Policy.  All practical efforts shall be made to maintain, restore, and if possible, enhance Big Sur's environmentally sensitive habitats. The development of all categories of land use, both public and private, should be subordinate to the protection of these critical areas.</p> <p>Section 3.3.3.B Marine Habitats  Development on parcels adjacent to intertidal habitat areas should avoid septic runoff and deposition of sediment. Alteration of the shoreline shall not be permitted. Concentration of recreational development or activities shall not occur near tidepool communities. Site design techniques to screen structures from State Highway One shall not impact marine habitats. Coastal lagoons and estuaries shall remain undeveloped.</p>	<p>Activities at the ranch will be managed to avoid any adverse affect on marine resources. This will include management of activities within the watershed that may affect marine resources. Where appropriate, marine resources will be maintained, enhanced, or restored.</p> <p>Activities will be managed to avoid septic runoff and deposition of sediment. Alteration of the shoreline will not be permitted. No recreation development or activities will be allowed near tidepools. No new development within the State Highway One watershed is proposed. The coastline will remain undeveloped.</p>

**Attachment B - Analysis of Management Guidelines** (Revised January 20, 2006)  
**General Coastal Consistency Determination for the Brazil Ranch**

California Coastal Act	Monterey County Local Coastal Program (Big Sur Land Use Plan)	Brazil Ranch Management Guidelines
<p><b>Article 5 Land Resources</b></p> <p>Section 30240 Environmentally sensitive habitat shall be protected.</p> <p>Section 30241 Prime agricultural land shall be maintained in agricultural production</p> <p>Section 30242 Lands suitable for agricultural use shall</p>	<p>Section 3.3.1 Environmentally Sensitive Habitats, Key Policy. All practical efforts shall be made to maintain, restore, and if possible, enhance Big Sur's environmentally sensitive habitats. The development of all categories of land use, both public and private, should be subordinate to the protection of these critical areas.</p> <p>Section 3.6.1 Agriculture Key Policy. Agriculture, especially grazing, is a preferred use of coastal lands. In locations where grazing has been a traditional use, it should be retained and encouraged both under</p>	<p>Environmentally sensitive habitats shall be identified and all practical efforts will be made to maintain, restore, and if possible, enhance environmentally sensitive habitats. A resources inventory that will include identification of sensitive habitats has been initiated. A small area of coast buckwheat (<i>Eriogonum latifolium</i>), a known food for the endangered Smith's blue butterfly (<i>Euphilotes enoptes smithi</i>), has been identified and made off-limits to activities by fencing. Similar protection measure will be implemented if and when additional environmentally sensitive habitats are identified. Activities will be monitored to prevent irreversible or irretrievable commitment of resources.</p> <p>Opportunities will be sought to maintain historic grazing activities as the principal use of the ranch, consistent with resource protection and other specific management and research objectives. Specific management</p>

**Attachment B - Analysis of Management Guidelines** (Revised January 20, 2006)  
**General Coastal Consistency Determination for the Brazil Ranch**

California Coastal Act	Monterey County Local Coastal Program (Big Sur Land Use Plan)	Brazil Ranch Management Guidelines
generally not be converted	<p>private and public ownership.</p> <p>Section 3.6.2.2 Uses compatible with the retention of grazing, including hunting and some forms of low intensity recreation, shall be encouraged as a means to assist maintaining land in agricultural use by providing additional income to land owners.</p> <p>Section 3.6.2.3 Residential, recreational and other land use development shall not be sited on land suitable for grazing unless an equivalent area of new grazing land is provided.</p> <p>Section 5.3.1.2 Land Use Category Watershed and Scenic Conservation Principal uses in this category include agriculture/grazing and supporting ranch houses and related ranch buildings. Recreational facilities (including rustic inns, lodging units, hostels, cabins, improved restrooms and interpretive centers) are permitted secondary uses within this land use category.</p>	<p>objectives include fire hazard reduction, exotic species eradication, and visual resource enhancement.</p> <p>The principal use of the Brazil Ranch will be agriculture/grazing. Managed public uses may be permitted secondary uses while grazing remains the principal use.</p>

**Attachment B - Analysis of Management Guidelines** (Revised January 20, 2006)  
**General Coastal Consistency Determination for the Brazil Ranch**

<b>California Coastal Act</b>	<b>Monterey County Local Coastal Program (Big Sur Land Use Plan)</b>	<b>Brazil Ranch Management Guidelines</b>
<p>Section 30243 Long-term productivity of soils and timberlands shall be protected</p> <p>Section 30244 Reasonable mitigation measures are required where development would adversely impact archaeological or paleontological resources.</p>	<p>Section 3.5.1 Key Policy, Forest Resources. The primary use of forested land in Big Sur shall be for recreational and aesthetic enjoyment and for educational, scientific, watershed, and habitat protection activities.</p> <p>Section 5.3.2.2. Watershed and Scenic Conservation. Protection of watersheds ...is the primary objective.</p> <p>Section 3.10.1 Historical Resources, Key Policy. Protect, maintain, and where feasible, enhance and restore the cultural heritage of the County and its man-made resources and traditions.</p>	<p>Long-term productivity of soils and timberlands will be protected. No commercial logging will occur.</p> <p>Archaeological and paleontological evaluation will occur prior to any surface disturbing activities. Reasonable mitigation measures, including avoidance, will be implemented where development may affect historical resources.</p>
<p><b>Article 6 Development</b></p> <p>Section 30106 "Development" means the placement of solid materials or structures; discharge of dredged material or waste; grading, removing, dredging, mining or extraction of materials; change in the</p>	<p>Section Glossary. Adopts the definition of development in the California Coastal Act, Section 30106.</p> <p>Section 2.2.4 Land Use and Development. Objective is to minimize</p>	<p>No placements of solid materials or structures are proposed. No discharge of material or waste is proposed. No grading, removing, dredging, mining or extraction of materials is proposed. No new residential, commercial or</p>

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California Coastal Act	Monterey County Local Coastal Program (Big Sur Land Use Plan)	Brazil Ranch Management Guidelines
<p>density or intensity of use of land, including, but not limited to, subdivision; change in the intensity of use of water, or of access thereto; construction, reconstruction, demolition, or alteration of the size of any structure; and the removal or harvesting of major vegetation other than for agricultural purposes.</p>	<p>development of the Big Sur coast in order to preserve the coast as a scenic rural area where residents' individual lifestyles can flourish, traditional ranching uses can continue, and the public can come to enjoy nature and find refuge from the pace of urban life. New land uses must remain subordinate to the character and grandeur of the Big Sur coast. All proposed uses must meet environmental standards and not degrade the Big Sur landscape.</p>	<p>industrial development, alteration of the size of any structure, or change to the physical appearance of existing structure is proposed. All activities will remain subordinate to the character and grandeur of the Big Sur coast. All uses will meet Forest Service and National Environmental Protection Act standards and will avoid any significant adverse affects to coastal resources or the Big Sur landscape. Protection of watersheds, streams, plant communities, the marine environment, and scenic values is the primary management objective.</p>
<p>Section 30250 New residential, commercial, or industrial development shall be located within existing developed areas or other areas with adequate public services that will not have a significant adverse effect on coastal resources.</p>	<p>Section 5.3.1.2 Land Use Category Watershed and Scenic Conservation. Recreational facilities permitted in the Outdoor Recreation Land Use Category are also permitted in the Watershed and Scenic Conservation Land Use Category. These may include: recreational and educational uses that are compatible with the natural resources of the area, such as trails, picnic areas, walk-in camping, tent camping, tent platforms, cabins,</p>	<p>Existing facilities will be available for agriculture/grazing, and public uses compatible with the natural resources of the area. No moderate or high intensity recreational uses (e.g. cabins, RV campgrounds, parks, stables, bicycle paths, visitor centers, or supporting facilities as defined by the Monterey Coastal Implementation Plan, Land Use Development Standards, Section 20.145.140) are proposed.</p>
<p>Section 30251 The scenic and visual qualities of coastal areas shall be considered and</p>		



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<p>protected as a resource of public importance.</p> <p>Section 30252 Development should maintain and enhance public access, minimize use of coastal access roads, provide non-automobile circulation within the development, and provide adequate parking or public transportation.</p>	<p>RV campgrounds, parks, stables, bicycle paths, improved restrooms, interpretive centers, and supporting facilities. Campgrounds are limited to a maximum of 60 spaces. Also permitted are rustic inn or lodging units, hostel; forestry, mineral extraction, aquaculture and related facilities; and rural residential and employee housing associated with any of these uses. On-site dining facilities are allowed for inn units, limited to that which is needed to serve on-premises overnight guests. Development of recreation and visitor-servicing facilities is preferred over other types of development because of Big Sur's national significance as a recreation area.</p> <p>Section 5.3.2. The Watershed and Scenic Conservation category permits a number of land uses including ranches, rural residences, low intensity recreation, rustic visitor accommodations, and under careful controls, forestry, mining, and aquaculture. Uses permitted in the Outdoor Recreation category are</p>	<p>Managed public access will be provided for recreation, conservation forums, public agency use, and research. Special use authorizations will be limited to film projects in cooperation with the Monterey County Film Commission. Examples of managed public access include: hiking; school group visits; university research projects; nature photography, nature painting or writing workshops; meetings of conservation leaders to discuss local, national or international conservation issues; and presentations on exotic weed eradication, green-building methods, renewable energy sources or other conservation issues. Community activities include hosting community-related events such as the Big Sur Arts Initiative, the Big Sur Garden Tour, or meetings for volunteer organizations. Access to these activities is characterized by private vehicles with families, car-pooling or individual drivers. Car-pooling for community and educational programs will be encouraged. Parking will occur in designated parking areas within the</p>

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	<p>encouraged on appropriate sites within Watershed and Scenic Conservation. Uses permitted in the Outdoor Recreation category include (1) low intensity recreational and educational uses (i.e. trails, picnic areas, walk-in camping, tent camping (up to 60 spaces), and supporting facilities), and (2) moderate intensity recreational uses (i.e. tent platforms, cabins, RV campground (up to 60 spaces), parks, stables, bicycle paths, improved restrooms, interpretive centers, hostels, and dining facilities needed to serve on-premises overnight guests). Large private properties in particular can be developed to provide enjoyable low intensity, outdoor recreation opportunities for the public in a scenic and natural setting.</p> <p>Section 5.3.3. The Watershed and Scenic Conservation land use designation permits potential residential units to be developed as inn units at the rate of two inn units per residence, thereby establishing potential build-out for this major land</p>	<p>ranch and not visible from State Highway One. Foot-paths provide non-automobile circulation from the designated parking area to meeting locations.</p> <p>No construction, reconstruction, demolition or alternation of the size of any structure is proposed. Interior modifications of some existing buildings to improve public access, accessibility for persons with disabilities, or health &amp; safety are envisioned. For example, a storage area within the existing barn is under evaluation for conversion to a public meeting space. Providing permanent toilets inside the barn (in lieu of the current use of portable toilets) is under consideration, and would be matched to an approved septic system to meet health and safety requirements. Modifications to the existing drinking water system are under design in cooperation with the Monterey County Health Department to meet public health and safety requirements. A wheel-chair accessible ramp replaced</p>

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<p>and cooperation in preparing procedures to implement coordinated planning and development for mutually beneficial uses, including educational uses, in the coastal zone.</p> <p>Section 30012 (a) An educated and informed citizenry is essential to the well-being of a participatory democracy and is necessary to protect California's finite natural resources, including the quality of its environment. Through education, individuals can be made aware of and encouraged to accept their share of the responsibility for protecting and improving the natural environment.</p> <p>Section 30012(b) The commission shall carry out a public education program that includes outreach efforts to schools, youth organizations, and the general public for the purpose of promoting understanding of, fostering a sense of individual responsibility for, and encouraging public initiatives and participation in programs for, the conservation and wise use of coastal</p>	<p>particular can be developed to provide enjoyable low intensity, outdoor recreation opportunities for the public in a scenic and natural setting.</p> <p>6.1.1 Shoreline Access. The visual experience has been the most traditional and most dominant form of access along the coast. Therefore, preservation of visual resources is an overriding goal in planning for Big Sur.</p> <p>The spectacular scenic quality of the Big Sur coast is, in large part, due to the rugged topography and undeveloped nature of the area. Steep cliffs and bluffs lead to rocky shorelines punctuated by seasonal pocket beaches. A few wide sandy beaches are concentrated in less steep terrain along the coast. In general, access to most of the shoreline is difficult and hazardous. Access destinations of suitable size, safety, and distance from sensitive habitats are found irregularly along the coast. Much of the coast is suitable only for visual rather than physical access.</p>	<p>conservation forums on issues related to environmental conservation, stewardship and sustainability. People depend on the natural environment for water, food, fuel, shelter, medicine, open space and beauty. Many environmental problems respect no borders and threaten the health, prosperity and even the national security of nations. Addressing these problems and achieving sustainable, socially responsible management of natural resources – locally, nationally, and globally - requires leaders to find new ways to establish and share connections between people and places. Brazil Ranch is the point of convergence for this discussion. Examples of conservation education activities have included workshops with the Jane Goodall Institute, Earth Systems Science and Policy of the California State University at Monterey Bay, Ventana Wilderness Society, Audubon Society, Sierra Club, Earthwatch, Monterey Bay National Marine Sanctuary, Monterey Peninsula Unified School District, Big Sur</p>

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and ocean resources.		Ornithology Lab, Big Sur Arts Initiative, Camp SeaLab, Lyceum of Monterey County, Monterey Peninsula College, Service Learning Institute, University of California Santa Cruz, Berkeley and Santa Barbara campuses, and Ventana Wilderness Alliance. Similar programs are planned with many other organizations on conservation issues, sustainability and stewardship.
<b>Article 7 Industrial Development</b>  Section 30260 Coastal-dependent industrial facilities shall be encouraged to locate or expand only within existing sites.	Section 5.4.2.6. Activities inappropriate to the Big Sur coast include industrial development, manufacturing, energy facilities, mineral extraction and non-coastally-dependent industries.	No industrial development is proposed.



# Inland View

Parking area off Old Coast Rd..

Exhibit No. 5



# Inland Parking Area





# Inland View

Trail to Summit

Exhibit No. 7



# Main Ranch Complex

Trail to Summit





Entrance Road

Old Coast Rd.

Coastal View From Ranch

Exhibit No. 9

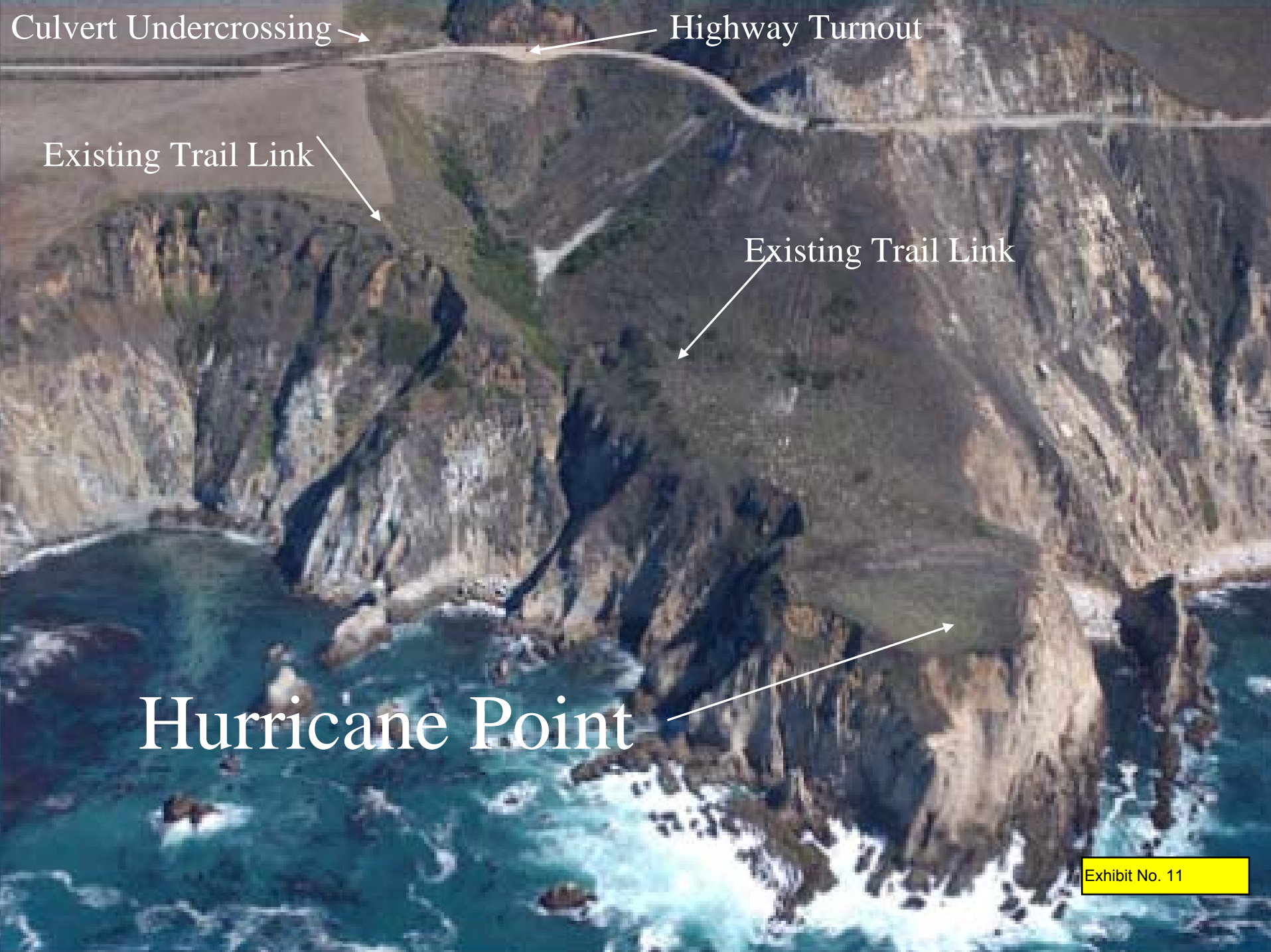


# Entrance to Ranch

Future Trail



Exhibit No. 10



Culvert Undercrossing

Highway Turnout

Existing Trail Link

Existing Trail Link

Hurricane Point





# Blufftop View to Bixby Bridge

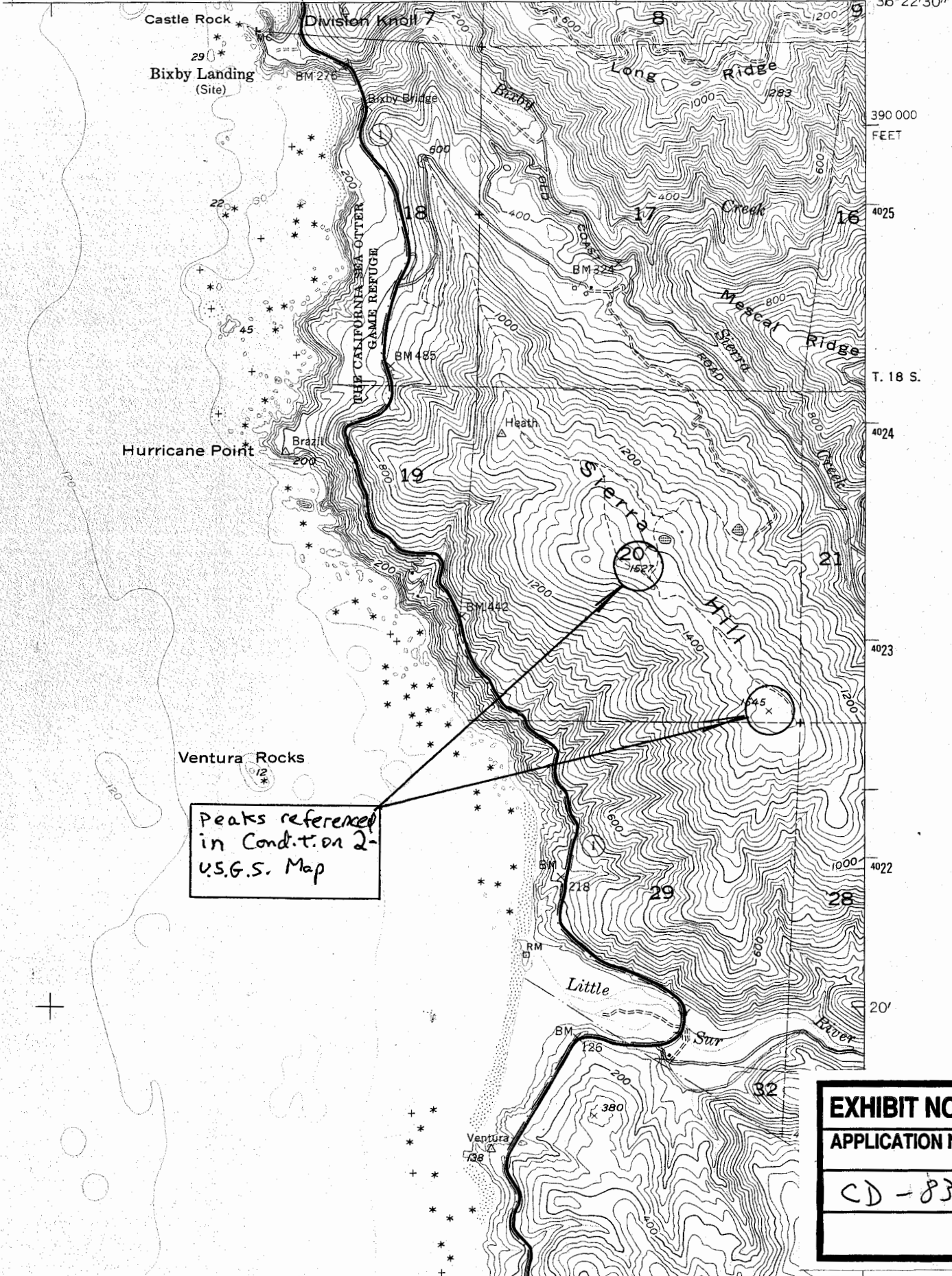
Exhibit No. 12

POINT SUR QUADRANGLE  
CALIFORNIA—MONTEREY CO.  
7.5 MINUTE SERIES (TOPOGRAPHIC)  
SW/4 POINT SUR 15' QUADRANGLE

1656 IV NE  
(MT CARMEL)

83

597 55' 598 MONTEREY 17 MI. NOTLEYS LANDING 1.6 MI. R. 1 E. 1150 000 FEET 121°52'30" 36°22'30"



Peaks referenced  
in Cond. t. on 2-  
U.S.G.S. Map

EXHIBIT NO. 13
APPLICATION NO.
CD-83-05